

UNITED STATES OF AMERICA

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DEPARTMENT OF INTERIOR

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COOPERATIVE CONSERVATION
LISTENING SESSION

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TUESDAY, AUGUST 22, 2006

8:30 a.m.

+ + + + +

REDMOND, OREGON

PANELISTS:

Secretary Dirk Kempthorne

Rick Otis, EPA

Bob Lohn, NOAA Fisheries

Mark Rey, Agricultural Undersecretary

Congressman Greg Walden

Mark Limbaugh, Water & Science,
Department of Interior

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P-R-O-C-E-E-D-I-N-G-S

(8:30 a.m.)

MR. CASE: Good morning. Welcome to the 5th of 24 listening sessions on cooperative conservation. My name is Dave Case, and I'm the moderator for the concession this morning.

I'm joined on the podium by Secretary of U.S. Department of Interior, Dirk Kempthorne; Undersecretary of U.S. Department of Agriculture, Mark Rey; Regional Administrator of NOAA Fisheries, Bob Lohn; Deputy Associate Administrator of the U.S. Environmental Protection Agency, Rick Otis.

Over here I'm joined by Congressman Greg Walden and Assistant Secretary of U.S. Department of Interior, Mark Limbaugh.

Also joined by Colleen McCarty, who is the court reporter who will be recording all of the activities today. And we'll talk more about her later.

Would ask, as I hear some of you doing, that if you could turn off your cell phones and pagers, including if you could turn them off, we'd really appreciate it not just on vibrate. Because these remote mikes do pick up the sound, especially if you come up to the podium or come up to the mike.

1 We have some other special guests that
2 are off to the side of the stage. If you can come
3 on up.

4 First introduction, Mark Lumquist and
5 Dan Scholls, two gentlemen behind me, are part of a
6 group called the Central Oregon Conservation Youth
7 Corps. They have worked on the -- yeah, you're
8 supposed to smile, yeah -- Deschutes National Forest
9 as part of a program to provide kids and teenagers
10 with experience, with leadership skills and with
11 wages, as well. So good motivating factor.

12 We wanted to recognize these two on
13 behalf of lots of other people who are involved in
14 this program, as they represent our future
15 conservationists. Thanks.

16 Next I'd like to introduce
17 Caitlyn Hipman. Caitlyn has, as a fourth grader
18 last spring, participated in what they call the
19 1,000 drops education program as part of the Healthy
20 Waters Institute.

21 As part of a writing project Caitlyn
22 wrote this: "I have many different purposes. I'm
23 only one drop of water, but I still make a world of
24 difference." She's going to lead us in the Pledge
25 of Allegiance.

1 (Pledge of Allegiance.)

2 MR. CASE: Thank you, Caitlyn.

3 Next I'd like to introduce

4 Rachel Sedoris. For those of you from Redmond,
5 probably well aware of Rachel. She's a 2003
6 graduate, Redmond High School. She was born with a
7 rare vision disorder and is extremely sensitive to
8 light. She's a member of the United States
9 Associates of the Blind Athletes, and had the honor
10 of carrying the Olympic torch in Salt Lake City
11 games, Winter Olympic games.

12 Rachel has been recognized by the Women's
13 Sports Foundation in New York City as one of the top women
14 athletes in America. She has been mushing, sled dog
15 mushing, since she was three years old. She says,
16 "It has been my plan to race the Iditirod since I
17 was eight years old."

18 Last year in 2005 she had to withdraw
19 from the race because her dog team had a virus. But
20 in 2006 she became the first legally blind woman to
21 complete the Iditirod.

22 And out of a field of 72 teams Rachel
23 finished 57th. Rachel will sing the National
24 Anthem.

25 (National Anthem.)

1 MR. CASE: Thank you, Rachel.

2 I'd like to start by giving you a little
3 bit of a preview of what we're going to do today.
4 The main reason we're here is to listen to your
5 comments on cooperative conservation.

6 We'll first have a few comments from the
7 podium and then a few comments from the floor and
8 then move right into the numbered cards you all
9 received when you came in.

10 Just kind of a quick overview of that
11 process. When you came in you received a card that
12 looked like this, that has a number on it. What
13 we'll do is just ask people to come to this
14 microphone over here. We'll start with number 1 and
15 just work our way right through the list.

16 I'm going to ask that we'll start with
17 the first five and have the first five line up.
18 Simply because we want to try and get as many people
19 up as possible so that the less time we have of
20 people waiting for people to walk up to the
21 microphone the better.

22 When you get up to the microphone we'd
23 appreciate it if you'd give us your name, spell your
24 last name. As I mentioned, Colleen is our court
25 reporter and will be taking transcription of the

1 whole meeting. And it's important that we make sure
2 that we get your name as close as possible. So if
3 you could -- if you have a difficult last name to
4 spell. In other words, if your last name is not
5 Smith please spell it for us.

6 If you represent an organization, what
7 organization -- what organization that is.

8 We are going to capture all the
9 proceedings, as I mentioned, but there's lots of
10 other ways that you can speak. If you want to have
11 your voice heard via fax you can send in a fax and
12 there's a fax number on there, there's a mailing
13 address on there, and there's also an option that
14 you can go to a web site and enter your information
15 electronically.

16 When you get up to the podium you'll have
17 two minutes to speak. And I know that's a short
18 amount of time, so I apologize in advance if I have
19 to cut you off. You'll have two minutes to speak.
20 What I'll do is subtly show you a yellow card that
21 when your two minutes are up that will give you 30
22 more seconds. So try to give you a little signal
23 that your time is getting up.

24 Again, I apologize in advance for having
25 to interrupt, but we do want to make sure we hear

1 from as many people as possible. And we handed out,
2 I think, about 130 or 140 cards, so we've got quite
3 a large group here today.

4 My main purpose as moderator is to keep
5 everything moving along quickly and to keep
6 everybody on track. We do ask that everybody keep
7 on the topic. If you look on the back of that card
8 the subject today is Cooperative Conservation. So
9 specifically those questions that were posed on the
10 back of that card.

11 Before we can get into the formal program
12 I would like to acknowledge a few people that are
13 here in the audience and ask them to stand. First,
14 Mayor Alan Unger, the mayor of Redmond; Ron Sumpa,
15 chair of the Warm Springs Tribe; Mike Carrier from
16 the Governor's office; State Senator Ted Farioli;
17 State Senator Charlie Ringo; from the Douglas County
18 Commission, James Mask; State Senator Doug Whitseet.

19 And there's a number of county
20 commissioners, I'd like to read through their names.
21 Doug Robertson; Doug Van Slyke -- or Dan Van Slyke,
22 I'm sorry, Dan. I've gotten a quick lesson in
23 pronunciation in the back room very quickly, so my
24 apologies if I didn't get it right.

25 Steve Grassity; Anna Morrison;

1 Scott Cooper; and the city controller from Bend,
2 Oregon, Jim Clinton.

3 MR. CLINTON: Counselor, actually.

4 MR. CASE: Counselor. And there are
5 also -- as we get into the presentations or the
6 listening session we won't have time to be having a
7 question-and-answer kind of give-and-take session,
8 so it's a chance to listen. We won't have a give
9 and take with the people up on the podium. But as I
10 said, there's lots of other ways to make sure your
11 comments are heard.

12 There are people here, a number of people
13 from the Fish and Wildlife Service, Environmental
14 Protection Agency, NOAA Fisheries, U.S. Geological
15 Survey, that many of them are up front here. So if
16 you have a particular question that you'd like to
17 get an answer to at break or after we complete the
18 session, please come up front and we'll see if we
19 can hook you up with an appropriate person to answer
20 your question.

21 With that I'd like to take the great
22 pleasure to introduce again the Secretary of
23 Department of Interior Kempthorne.

24 MR. KEMPTHORNE: Thank you very much.
25 And thank you all for being here this morning. This

1 is tremendous. And I believe this is going to be a
2 very productive opportunity where we will have the
3 great occasion of listening to fellow citizens,
4 giving us some ideas that will be very important,
5 that will be ultimately conveyed to the President of
6 the United States.

7 Let me just mention that as I flew in
8 here last night to Redmond, arriving probably around
9 5:00, I went over to the smoke jumpers headquarters.
10 I just wanted to go there and thank these
11 magnificent men and women for all that they do for
12 us.

13 And as I travel around the country it's
14 not unusual to see a group of the Hot Shots that
15 have been disbursed to some part of the country. In
16 McCall, Idaho that I was there Friday a number of
17 people from Redmond had just been sent through
18 there.

19 So, again, I just -- I acknowledge these
20 men and women and all of the facets of it, whether
21 they are the smoke jumpers, the Hot Shots, the
22 operations, the flight crews, they just do a great
23 job.

24 Mark Rey said to me this morning that,
25 what, three more crews were being dispatched this

1 morning. So it's been a tough fire year.

2 Last night I had a meeting with some of
3 the panelists, then I had a conference call, and
4 then when it -- I just, I needed a little
5 nourishment and it was suggested there's a group
6 here in Redmond that I could go to. I met more
7 smoke jumpers and Hot Shots and local citizens.
8 This is a good community. I felt very comfortable
9 here.

10 All of the local leaders and tribal
11 leaders are here. It is wonderful. Mr. Mayor, I'm
12 the former mayor of Boise. You've probably
13 experienced this. But one night I was relatively
14 new, the phone rang, I was the only one there. And
15 it was a citizen that had a particular problem that
16 I didn't know the answer to. Finally, she became
17 exasperated and she said, "Who in the world am I
18 speaking to?" I said, "Well, ma'am, this is the
19 Mayor." She said, "I don't want the mayor, I want
20 somebody lower." I said, "Ma'am, there is nobody
21 lower." Now look where I am. It just gets lower
22 and lower.

23 And let me say to Greg Walden, your
24 congressman, a very good friend, both of Oregon, but
25 also I count as a friend. And one of the very

1 articulate members of Congress on natural resource issues.
2 So, Greg, I'm very honored to be here with you and
3 all the officials that are here.

4 We have many challenges at the Department
5 of Interior. We manage one-fifth of the land of the
6 United States. The land and waters we manage is
7 one-third of our domestic energy. I'll be going to
8 Wyoming later today.

9 Through 531 million Americans who manage
10 relations with 561 Indian tribes, to help protect
11 citizens from forest fires and national hazards,
12 servicing 470 million visitors at national parks,
13 wildlife refuges, and other public lands.

14 Fortunately, we have many partners at the
15 state and local level who care deeply about the
16 environment and the land in which we live. Without
17 the help of these citizen stewards we could not
18 possibly achieve our conservation goals.

19 I don't believe that Washington has all
20 the answers, and neither does the President. I do
21 believe people living in Eastern Oregon and Central
22 Oregon and other communities across America can
23 provide valuable insight to problems and often can
24 solve problems more quickly than the federal
25 government.

1 You're providing great examples of that
2 right here in Oregon with your collaborative efforts
3 on the Klamath River and Klamath Basin, and the
4 Deschutes River Conservancy. You should be very
5 proud of that. Tough issues, been here for years,
6 and yet look at the progress which you're making.

7 President Bush understands the importance
8 of working closely with local partners. In June he
9 said, and I quote, "We believe cooperative
10 conservation is the best way to protect the
11 environment. This means we must focus on the needs
12 of states and respect unique knowledge of local
13 authorities and welcome the help of private groups
14 and volunteers."

15 The President also said that through
16 Cooperative Conservation and moving away from the
17 old environmental debates that pit one group against
18 another and towards a system that brings citizens at
19 every level of government together to get results.

20 Last year he held a first ever White
21 House conference on Cooperative Conservation. More
22 than 1,300 individuals representing hundreds of
23 organizations met in Saint Louis and provided
24 illustrations of Cooperative Conservation projects
25 across the nation.

1 It's just been discussed how the nation
2 might strengthen partnerships, dialogue, and
3 collaboration to achieve environmental goals. These
4 partnerships among landowners, communities, private
5 sector, tribes, counties, and states hold the
6 nation's greatest promise for achieving
7 environmental goals, reducing conflict, and
8 leveraging conservation resources.

9 During the next two months we'll build a
10 momentum of last year's conference and work to
11 strengthen these alliances. We'll hold 24 sessions
12 across the country to give citizens an opportunity
13 to talk about Cooperative Conservation. Citizen
14 stewards will be able to tell us what works, just as
15 importantly what doesn't work.

16 The meeting will focus on issues,
17 programs, and policies mentioned frequently at the
18 conference. Topics such as how can the federal
19 government enhance wildlife habitat, species
20 protection, and other conservation outcomes through
21 regulatory and voluntary conservation programs.

22 How can the federal government enhance
23 cooperation among federal agencies with states, with
24 tribes, and local communities in the application of
25 environment protection and conservation laws. How

1 does the federal government work with states and
2 tribes and other public/private sector partners to
3 improve science used in environment protection and
4 conservation.

5 How can the federal government work
6 cooperatively with businesses and land owners to
7 protect the environment and promote conservation.
8 How can the federal government better respect the
9 interests of people with ownership and land and
10 water and other natural resources.

11 We look forward to hearing your thoughts
12 and ideas about these questions and then putting
13 those ideas into action to achieve results.

14 We want to hear from all of you and those
15 across the nation. Hearing from you will tell us
16 whether the fish and wildlife service, the land
17 owner incentive program is as effective as possible
18 in conserving wildlife habitat on private lands.

19 Hearing from you will tell us whether the
20 Endangered Species Act is as effective as it can be
21 in protecting species and allowing landowners to be
22 helpful and innovative in bringing about the
23 recovery of these species. Hearing from you will
24 tell us whether we can restore even more wildlife
25 habitat than we have with partners in the fish and

1 wildlife program.

2 This is quite a unique process. Colleen
3 is taking all of these notes, every word. In the
4 moments that you'll have to give us your thoughts
5 you may not be able to cover everything and all of
6 the detail that you'd like, but you can then do so
7 through the written word.

8 You can identify and raise the issues so
9 that as we go back through this we'll say, Do you
10 remember the one gentleman or one lady in Redmond,
11 do you remember their point about this or that? Do
12 you remember the comment that was made by the
13 rancher, the conservationist out in Oregon?

14 So you'll be able to put it on the radar
15 screen and give us the data, and then there may be a
16 follow-up or someone may ask you, Will you provide
17 us more detail. 24 of these across the country.

18 Again, at the end of the day the
19 President has asked we report back to him. Just as
20 we sat across the table from him when this was
21 launched.

22 So I bring you his well wishes. And I
23 look forward to your comments to help us become
24 effective, even more effective and serving you, our
25 fellow citizens. Thank you for being here.

1 MR. CASE: Thank you, Mr. Secretary.

2 As I mentioned, this is the 5th of 24
3 listening sessions. So far they've been held in
4 Spokane, Washington; Helena, Montana; Roanoke,
5 Virginia; and last night in Columbus, Ohio.

6 If you're a real listening session
7 deadhead and want to follow around the next one is
8 tomorrow night in Omaha, Nebraska.

9 But in each of these sessions we will
10 start off by having someone highlight a local
11 Cooperative Conservation project or two. And today
12 we're going to do that by asking Greg Addington from
13 the Klamath Water Association to give us some brief
14 comments.

15 MR. ADDINGTON: Thank you very much.
16 Good morning, Mr. Secretary, Congressman Walden.
17 I'll go with distinguished panel for the rest of
18 you.

19 My name is Greg Addington, last name is
20 A-D-D-I-N-G-T-O-N. And I'm the executive director
21 of the Klamath Water User Association. First of
22 all, welcome to Oregon. Thank you very much for
23 coming here to listen to the people of this state.

24 We applaud your outreach and efforts, and
25 I really appreciate the opportunity on behalf of the

1 water users to kick things off here this morning.

2 The Klamath Water Users Association is a
3 nonprofit association formed in 1953 to represent
4 the interests of water users and water supply and
5 power-related matters. Our members are primarily
6 irrigation districts that receive deliverable water
7 through the Bureau of Reclamations Klamath
8 Irrigation Project, which is just over a century old
9 now.

10 The project provides water to over
11 200,000 acres of family farms and ranching
12 operations. What I'd like to do is just provide you
13 this morning with a few examples of some ways,
14 specifically with the ESA, that implementation of
15 that -- the ESA to help us pave the way for
16 Cooperative Conservation.

17 So I'd like to go through a few of the
18 things that we think need to be addressed in the
19 ESA, then what I'd like to do is end with a few of
20 the good things that are happening in the Klamath
21 Basin.

22 There are four fish species in the
23 Klamath Basin listed as threatened or endangered;
24 Coho salmon inhabit parts of the Klamath watershed
25 downstream from the dam, the short nose lost

1 river -- short nose and lost river sucker and bull
2 trout inhabit the water in the upper basin.

3 Over the past 15 years Klamath Basin and
4 Klamath projects specifically have provided a telling
5 case study of the implementation of the Endangered
6 Species Act.

7 Two things are certain, number one,
8 family farms and ranches and the associated
9 economies in the basin are currently worse off and
10 exist in a continued state of uncertainty.

11 Number 2, an obsession with the
12 regulatory focus on the Klamath project water supply
13 has not resulted in benefit to listed species and it
14 will not. Yet somehow the obsession with regulatory
15 mandates continues and litigation and advocacy and
16 in the media.

17 In fact, one of the biggest challenges we
18 have in the Klamath Basin is simply to cut through
19 the considerable rhetoric that lies in the path in
20 achieving the solutions.

21 You'll understand that our perspective is
22 significantly affected by the disastrous experience
23 of the 2001 water shutoff.

24 With that, quickly some of the things
25 that we see as far as the implementation of the ESA

1 that need to be addressed.

2 Number 1, parties who bear the regulatory
3 consequences of section consultations must have a
4 seat at the table. Years ago water users were
5 allowed to interact constructively with the agencies
6 during consultation. However, in the mid-'90s that all
7 changed. Suddenly biological opinions and
8 consultations, we found ourselves on the outside
9 looking in as others are able to determine our fate.

10 Loss of applicant status diminished our
11 trust in the process and quality of the project.
12 That status must be definitely and permanently
13 restored.

14 Number 2, the implementation of section 7
15 consultation provisions must be implemented.
16 Resource agencies and regulated public need clear
17 and consistent guidance regarding key principles and
18 concepts. Notable are clear definitions for the
19 environmental baseline and the action which is the
20 subject of consultation.

21 In addition, services developed a
22 reasonable and prudent alternative, above all else
23 should actually be reasonable and prudent.

24 2001 services of RPA resulted in no
25 delivery of water for irrigation. Given that the

1 very purpose of the Klamath project is to deliver
2 water for irrigation you can understand how
3 centuries old can be considered consistent with the
4 intended purpose of the action or economically
5 feasible. Both are components of what RPA should
6 be.

7 Number 3, implementation of the ESA must
8 contain real incentives to do the right thing.
9 You'll hear from other people today about this. But
10 the point is, when irrigators, and, frankly,
11 resource people take something on they generally get
12 it done.

13 Water use in the Klamath Basin and
14 recovery plans for suckers, they developed water
15 bank proposals for land in dry years, been
16 supportive of conservation and restoration efforts
17 throughout the basin. Yet we still have a hard time
18 seeing the light at the end of the tunnel. And at
19 some point there's got to be incentives to keep
20 people going forward.

21 Integrated strategies for restoration and
22 recovery must be required. I respectfully direct
23 your attention to the National Research Council of
24 the National Academy of Sciences 2004 report on the
25 Klamath Basin. This independent review of the

1 Klamath science and the processes is a blueprint for
2 successful restoration in the basin. However, we
3 fear for the most part is being ignored.

4 The observations contained in that report
5 should give concern to anyone who seeks the
6 protection of local communities or healthy
7 fisheries.

8 I want to point out I do think that under
9 the current regional direction that the U.S. Fish
10 and Wildlife Service and local Klamath area office, I do
11 believe they are responsive to the recommendations
12 in that report. But until it is embraced by the
13 entire water shed up and down the river, NOAA
14 Fisheries and U.S. Fish and Wildlife Service, we're
15 going to continue as, like I say, restoration basically
16 a rudderless ship.

17 If we don't have a clear plan for
18 recovery we can look forward to more continued
19 random acts of restoration that will be to no one's
20 benefit.

21 Sound science and balance. The
22 association strongly supports the effort that
23 Congressman Walden has called for that requires sound
24 science and critical ESA decision-making and the use
25 of peer review science to the maximum extent

1 possible.

2 Flexibility is for people and for
3 species. Biological opinions must contain
4 flexibility and more closely mimic the natural order.
5 Adaptive management should be used to adjust to the
6 needs of the species and integrate the community.

7 In the Klamath Basin we have two
8 biological opinions; Klamath River and the upper
9 Klamath Lake. Minimum lake levels are required for
10 the lake, minimum flow requirements are required for
11 the river.

12 It's a prescribed approach. It's
13 determined in the spring. If the hydrology changes,
14 as it has this year, we'll find ourselves in
15 trouble. Wettest water year we've had in ten years
16 and we've got problems.

17 Lastly, I'd like to end with that we all
18 need to foster opportunities for partnership and
19 collaboration. It is important to note at this time
20 in the Klamath Basin there are opportunities
21 present.

22 You all know about the fisheries disaster
23 off the coast, the fishing, salmon fishing was
24 curtailed due to low returning number of salmon to
25 the Klamath River.

1 There are parties out there that took the
2 opportunity to make a political statement with this
3 and point fingers at the Klamath reclamation project
4 with the administration and tried make this thing
5 about farmers versus fishermen.

6 And despite what you read in the
7 newspaper or hear on the radio, what I can tell you
8 is that the farmers in the Klamath Basin have made
9 every effort to reach out to the coastal salmon
10 community. They have driven over there, talked to
11 fishermen, walked on the docks.

12 And ultimately what that has led to is
13 joint tours. We've had farmers from the Klamath
14 Basin go over and visit with fishermen, and we've
15 had fishermen and members of the Oregon Salmon
16 Commission come to the Klamath project to look
17 around.

18 And we get it, we understand each other.
19 We're not that much different and we're not pointing
20 fingers at each other. We're looking for solutions.

21 Another program I just want to let you
22 know about is called the Walking Wetland Program.
23 And there are people here, Steve Thompson, Fish and
24 Wildlife, Ron Cole, who really should be commended
25 for the efforts here.

1 It's basically a cooperative venture
2 between the federal government and private land
3 owners. It provides a win/win situation, habitat
4 for wildlife, and it's good for farmers, as well.

5 With that I want to personally -- one
6 other thing I should mention, and that is
7 relicensing process on the Klamath River. Sincere
8 effort focused in the basin tribes, irrigators,
9 conservation community, states, and the federal
10 government are really moving forward with what is
11 comprehensive solutions. It's not an easy process,
12 it requires some very difficult decisions, but we're
13 committed to trying to make this process work.

14 I want to thank the leadership of
15 Steve Thompson and federal and state personnel
16 for helping foster this improved
17 environment. We will need continued support,
18 including collaboration with the states. In order
19 to fully succeed we also need resources.

20 Mr. Secretary, we do not view these
21 needed changes to the ESA as in the Cooperative
22 Conservation to be mutually exclusive. We believe
23 we have to have these road blocks dealt with in
24 order to get to cooperate and more fully work with
25 the other stakeholders in the basin.

1 Thank you very much for being here today
2 and thank you for letting me have this time here to
3 kick it off. I'd like to invite all of you at any
4 time to the Klamath Basin to look around and see how
5 things are going. Thank you.

6 MR. CASE: Thank you very much. We're
7 going to start now the public process. Just to
8 reiterate, the way we'll go about it we're just
9 going to call people in order from the number. We
10 do have four people I'm going to ask to give
11 welcoming statements first and then we'll go on to
12 number 1.

13 But all of you, please, if you could
14 state your name, the organization you represent,
15 spell your last name for us, if you could, please.
16 We'll have two minutes for each speaker. I'll keep
17 track up here. And when your two minutes are up
18 I'll show you this card and you'll have 30 more
19 seconds to finish up.

20 I'll try and keep everybody on track. If
21 we -- looks like we're going to go very long, we'll
22 take a quick break later on. But otherwise we're
23 going to keep moving right on through all of
24 the speakers.

25 So with that I'd better -- I mentioned

1 four people. First I'd like to ask Mayor Unger to
2 come up, please.

3 MR. UNGER: Yes. Redmond Mayor
4 Alan Unger, U-N-G-E-R. That's Unger without the H.
5 Congressman Walden and other elected
6 officials, Senator Kemp -- Secretary Kempthorne,
7 directors and staff, welcome to Redmond and Central
8 Oregon.

9 We have been found by the world. One
10 reason is daily direct flights from Roberts Field to
11 five hubs, including LAX. Our population is booming
12 in the eight cities and many destination resorts we
13 have in Central Oregon, which are rural, vacation,
14 and living opportunities.

15 With this growth we need more options for
16 infrastructure, roads, utilities, water, new rail
17 corridors through federal land. 80 percent of
18 Deschutes County is federally owned.

19 I want to thank the local BLM and federal
20 staff for the local planning efforts we have been
21 doing, the Brothers, La Pine master plan, which has
22 incorporated some of the problems that we have.

23 But government processes have too many
24 rules and they take too long. We are growing and
25 changing too fast for the slow pace of planning.

1 Recreational Purposes Act is a great
2 thing. We have two different golf courses, which is
3 city owned, is challenging and gives us affordable
4 golf. The Redmond Caves is a spot within our city
5 which gives us a rural park field.

6 We are a playground for Oregon. The
7 impact on our federal, our fragile desert ecosystem
8 is alarming. And I apologize for all the trash the
9 local people put on federal land. We should know
10 better. Whether you're local, state, or federal
11 agencies we are all serving our citizens of the
12 country, our country.

13 Thank you for coming here today and
14 please enjoy our great country and our great
15 weather.

16 MR. CASE: Thank you. Also like to
17 invite Ron Zeppa, chairman of the Warm Springs
18 tribe.

19 MR. ZEPPA: Good morning. It's a good
20 day. My name is Ron Zeppa, and I'm the tribal
21 council chair for confederated tribes of the Warm
22 Springs reservation of Oregon. Thank you for
23 inviting me to come and testify about how
24 cooperative partnerships can improve conservation
25 and environmental quality.

1 The 650,000 acre Warm Springs Indian
2 reservation is in North Central Oregon about 45
3 minutes north of here. The tribe has a long history
4 of leading the charge on sustainable environment
5 stewardships on and off the reservation through
6 governmental regulation and partnership building.

7 For example, our tribal forests are now
8 managed sustainably with the cooperation of BIA and
9 the tribe and Bonneville Power Administration work
10 together for common mitigation goals on several reaches of the
11 John Day Basin.

12 Another example of Cooperative
13 Conservation of the tribe is active pursuit of an
14 expanded biomass federation facility at the Warm
15 Springs sawmill. Expansion of the tribes' biomass
16 facility to 17 megawatts is expected to generate
17 revenue and jobs for the tribes.

18 But its value goes well beyond this. It
19 will help provide a market solution for addressing
20 hazardous threats on the reservation and on adjacent
21 federal lands and for co-managing off reservation
22 treating resources on federal lands.

23 The tribes recently executed an historic
24 memorandum of understanding with the U.S. Forest
25 Service and Bureau of Land Management on adjacent

1 federal lands to facilitate these goals.

2 The tribe has also been a driving force
3 in establishing the Deschutes River Conservancy.
4 The DRC was founded in 1996 by the environmental
5 defense fund, local irrigation districts, and the
6 tribes to address concern about water quantity and
7 quality in the Deschutes River Basin.

8 This nonprofit group is the first ever to
9 bring together all the major Deschutes River
10 stakeholders, including the federal agencies in a
11 diverse partnership to carry out basin ecosystem
12 restoration.

13 Using consensus and market-based
14 decisions the DRC has been extremely successful in
15 helping assure clean and fungible water in the
16 Deschutes Basin.

17 Also, regarding the Deschutes River, the
18 tribes currently owns a one-third interest in the
19 440 megawatts Roundview hydroelectric project and
20 owns the 19 megawatt re-regulated dam hydroelectric
21 project.

22 The tribe in partnership with Portland
23 General Electric is a colicensee of the project.
24 The projects generate significant revenue for the
25 tribes. And PG&E and the tribes are cooperatively

1 spending millions of dollars on project operations
2 to create the hydro operations, including investments
3 to improve fish passage, water quality, riparian and
4 fish habitat and cultural resources.

5 Implementation of these improvements is
6 being accomplished through historic partnerships
7 with environmental stakeholders, tribe, and federal,
8 state, and local governments.

9 The Pendleton project has proved that it
10 can bring diverse groups to the table to
11 cooperatively improve quality and further economic
12 opportunities.

13 Last but not least, the tribes sees
14 itself as a partner in developing regional solutions
15 for insured adequate and reliable regional
16 transmission. The Warm Springs reservation is
17 currently criss-crossed by numerous energy rights of
18 way. The tribe and EPA view each other as partners
19 in assuring liabilities of critical transmission
20 capacity and reliability. As partners we can
21 address the particular needs of the tribe and
22 utilities and the public.

23 In conclusion, I cannot more emphasize
24 the importance that partnerships play in the tribe's
25 economic future and well-being. Such partnerships

1 respect the tribes' sovereignty and achieve common
2 and concrete economic environmental results.

3 As a tribe poised to increase our
4 involvement and leadership with energy conservation
5 and commercial enterprises, we plan to lead the way
6 in creating partnerships with other parties that
7 capitalize on market solutions to maximize
8 conservation, environmental quality, and commercial
9 success.

10 That concludes my testimony, other than
11 maybe a request from the tribe and from some of my
12 fellow Oregonians to Secretary Kempthorne that the
13 DRC funding is very unstable. And it has
14 accomplished many things for our region. And if I
15 might, I would like to maybe request, Mr. Secretary,
16 that you look at that and see if there's any way
17 that you could help our region and stabilize that
18 funding and making it available for our region to
19 carry on the important work that we have to do in
20 order to be stewards of our country.

21 Thank you, again, Greg, for being here.
22 Thank you guys for the time.

23 MR. CASE: Next is Mike Carry on behalf
24 of Governor Kulongoski.

25 MR. CARRY: Morning. Thank you.

1 Mr. Secretary, the Governor sends his fond personal
2 greetings and regrets he couldn't be here today.

3 Congressman Walden, the Governor thanks
4 you for your outstanding service, and especially
5 thanks you for your recent call to Secretary and his
6 colleagues to come and be heard as part of his
7 request today.

8 I have a letter presented to you from the
9 Governor. I'm not going to read the entire letter.
10 To save time, in the interest of those wanting to
11 testify, I'd like to paraphrase some of the high
12 points for you and end with a specific request the
13 Governor is making of you today.

14 He thanks you, of course, for coming here
15 in person and for holding these and making a
16 priority to do this. The administration's
17 initiatives on Cooperative Conservation are much
18 appreciated. They should be continued.

19 A noteworthy example, Mr. Secretary, as
20 you mentioned, the landowner incentive program.
21 Oregon's partnered with over 900 landowners in
22 recent years to create and restore habitat. In
23 fact, Oregon has what I believe is the best track
24 record in the country in obligating federal funds
25 for this program to private landowners for

1 conservation work.

2 Earlier this year Governor Kulongoski
3 became the first governor in the country to sign the
4 Cooperative Conservation agreement with the Bureau
5 of Land Management for revision of its western lands
6 plan. He's committing the staff and resources of
7 over ten natural resource agencies in the state to
8 assist the Bureau of Land Management in fulfilling
9 its federal obligation, at the same time serving
10 Oregon's best interests.

11 Soon he intends to sign a similar
12 Cooperative Conservation agreement with the U.S.
13 Forest Service, Secretary Rey, to assist in the
14 revision of the national forest plans.

15 While we may disagree on certain issues
16 the Governor wants you to know that his
17 commitment -- turning our attention to issues of
18 forest health, reducing risk to catastrophic wild
19 fires, and restoring predictable supplies of fiber
20 for our forest economies is what matters most to
21 him. He intends to keep cooperating in those areas.

22 In Oregon we have great success in
23 recovering the once listed coastal coho that
24 depended much on voluntary support and participation
25 by private landowners. And in particular, by the

1 forest industry of Oregon.

2 At this time we're working hard on
3 recovery plans for listed species throughout the
4 lower Columbia, the Willamette, the mid-Columbia,
5 and the lower Snake River.

6 Implementation of those plans will
7 require cooperation from the state and federal
8 agencies, as well as private landowners. A success
9 story here is really a story about the Oregon
10 plan for salmon and watersheds.

11 And over the last ten years Oregon's been
12 the national leader in putting to practice of
13 Cooperative Conservation through that plan and on
14 the ground into habitat improvements in salmon
15 restoration.

16 The Oregon plan of recovery of coastal
17 coho, our model of success in Cooperative
18 Conservation, but an even tougher test of our
19 resolve awaits us in the Klamath River Basin.

20 As you all know, we have the problems of
21 water supply, endangered species, energy generation
22 and agriculture sustainability expressed in the
23 basin in the past years. In past years we've seen
24 economic hardship and divisions within communities
25 when water was withheld and irrigators. We've also

1 seen the consequences on water quality policy
2 decisions that result in the death of thousands of
3 salmon returning to spawn.

4 Equally painful of consequences occurring
5 this year the nearly total loss of commercial salmon
6 patrol fishing opportunity on Oregon's coast.

7 So, Mr. Secretary, the Governor's request
8 to you today is as follows: Would you make it a
9 priority to return to Oregon to your fellow cabinet
10 officials who are cosponsoring these listening
11 sessions to develop an aggressive strategy with us for
12 the Klamath Basin.

13 Further, he urges you to direct all
14 available resources within your agencies to the
15 Klamath Basin, resources available to you now, and
16 to join him in advocating greater support from the
17 President and Congress in future budgets for implementing
18 strategies of development.

19 He asks that you carry that message back
20 to Washington. The Klamath Basin has reached a
21 critical condition of agricultural and natural
22 resources, water scarcity, and other problems that
23 are creating any kind of hardship, conflict, and
24 loss of confidence in our nation's ability of
25 assured assistance and opportunity to commensurate

1 with that region. Thank you, Mr. Secretary.

2 MR. CASE: Thank you. Doug Whitseet is
3 the final. And next we'll start with number 1.

4 MR. WHITSEET: Good morning, gentlemen.
5 I am Doug Whitseet, W-H-I-T-S-E-E-T. I represent
6 Southern District 28, Oregon Senate. Our Senate
7 district includes all of Klamath Lake and Crook
8 County, western half of Jackson County and the
9 eastern part of the Deschutes County. Sounds like
10 Greg's, doesn't it?

11 MR. WALDEN: Part.

12 MR. WHITSEET: 58 percent of our district
13 is owned by the federal government. I want to thank
14 you for traveling to Oregon to hear our concerns and
15 suggestions regarding our natural resources
16 management.

17 Many generations of farmers, foresters,
18 and fishers have used our natural resources wisely
19 and productively to produce wood and fiber for our
20 people. In less than one generation of resource
21 management by nonresource users these resources have
22 become unsustainable.

23 Our forests are burning out of control.
24 Our salmon fishery has crashed on the Oregon coast.
25 Biological opinions that the National Academy of

1 Sciences has discovered were not based on accurate
2 or reproducible science five years ago are still
3 being enforced in the Klamath Basin. We can't stop
4 the economic and cultural consequences.

5 Resource users must be, once again,
6 included in resource management if these resources
7 are to be sustained for our future generations.

8 Thank you, gentlemen, for coming here to
9 listen today.

10 MR. CASE: Thank you. I'm going to ask
11 one through five please line up. We're going to
12 pick up the pace. As I mentioned, you'll have two
13 minutes and 30 seconds. And if you could hold the
14 applause that way we can move right on to the next
15 one. Number 1.

16 MR. BYLER: Thank you. Welcome Secretary
17 Kempthorne, Congressman Walden, and distinguished
18 members of the panel. For the record my name is
19 Tom Byler, B-Y-L-E-R, and I'm the executive director
20 of Oregon Watershed Enhancement Board.

21 The Oregon Watershed Enhancement Board,
22 OWEB, is a state agency whose principal function is
23 to operate a grant program that funds Cooperative
24 Conservation efforts throughout the state of Oregon.

25 What I want to -- what I hope you will

1 leave today with is a distinct impression that
2 Oregon is a leader and perhaps the leader of
3 Cooperative Conservation throughout the nation.
4 What we are doing in Oregon is exceptional. And
5 what makes it exceptional is the power of local
6 communities to engage in stewardship and the
7 empowerment they have through the Oregon plan for
8 salmon watersheds to manage their resources through
9 partnerships from private landowners, local
10 government, and state and federal officials.

11 You're going to hear from a lot of folks
12 today about the work they're engaged in. I think
13 you'll hear some very good stories from people who
14 are living very close to the land, especially in the
15 Deschutes and Klamath region.

16 What I want to show you today is this is
17 happening all over the state. We have over 90
18 watershed councils, 45 water conservation, and other
19 groups who are very engaged in this effort and are
20 doing wonderful work.

21 OWEB has dedicated state funds that go
22 towards the grant program. Federal funds are a
23 compliment to that and critical compliment to that.
24 We are concerned those resources will disappear
25 soon.

1 There are two issues that I wanted to
2 emphasize in terms of the federal nexus. And it has
3 to do with resources both at a staffing level. We
4 need your help, we need you at the table, need your
5 constructive partnership on critical issues, need
6 your constructive partnerships on technical advice
7 for our local groups who are putting projects on the
8 ground.

9 We also need your help in terms of
10 funding resources. About a third of OWEB's funding
11 through the grant program has historically been
12 federal resources. If those go away it is going to
13 be a very big hole in our program and limit our
14 ability to do important monitoring, technical
15 assistance, and projects that support our
16 restoration program.

17 With that I'd like to conclude my
18 remarks. And, again, thank you for coming to Oregon
19 for this listening session. Thank you.

20 MR. CASE: Number 2.

21 MR. JACOBS: Good morning. My name is
22 Larry Jacobs from Sherwood, Oregon. J-A-C-O-B-S.
23 I'm president of the Oregon Foundation for North
24 American Wild Sheep. Welcome to Oregon. I
25 appreciate the opportunity to discuss Cooperative

1 Conservation issues with you.

2 An issue of great importance to us and an
3 issue that has been given a significant amount of
4 attention over the past few years is disease
5 transmission between domestic sheep and bighorn
6 sheep throughout the Western United States and on
7 federal lands within these states.

8 The endangered Sierra Nevada bighorn
9 sheep in California, has as of late, drawn a great
10 deal of attention. Another area of highly
11 substantial risk that we're concerned with is within
12 the Hells Canyon Management Area of Oregon,
13 Washington, and Idaho. And in particular, on
14 Payette Forest and in Idaho.

15 Mr. Rey, I'm sure you're all too familiar
16 with these issues. And Mr. Kempthorne, as past
17 Governor and Senator of Idaho, I'm sure you're aware
18 of those issues, also.

19 Clearly, domestic sheep and bighorn sheep
20 must be kept separated or risk major die-offs within
21 bighorn sheep populations due to disease
22 transmission.

23 We are actively working with the Nez
24 Perce tribe; the Umatilla tribe; National Foundation
25 for North American Wild Sheep; Hells Canyon

1 Preservation Council; National Wildlife Federation;
2 Wilderness Society; Oregon, Washington, and Idaho
3 FNAWS chapters; Oregon, Washington, and Idaho
4 Departments of Fish and Wildlife; and staff from
5 Senator Craig & Senator Crapo's offices in Idaho to
6 come up with a collaborative solution to the
7 conflicts surrounding these issues.

8 Politics needs to be considered secondary
9 to common sense and effective framing of a win/win
10 solution to the challenges we face. We need to
11 carefully review the science surrounding these
12 issues and resolve them accordingly.

13 We can use your most able assistance in
14 the timely conversion of high-risk domestic sheep
15 grazing allotments to cattle grazing allotments,
16 exchanging allotments, purchasing allotments.

17 And also we can use funding to accelerate
18 current and ongoing contagious disease research
19 activities to develop an effective vaccine to help
20 minimize disease transmission between domestic and
21 bighorns.

22 Through the efforts of President Bush and
23 the Council in bringing forward Cooperative
24 Conservation, the use, enhancement, and enjoyment of
25 natural resources, protection of the environment,

1 and collaborative activities between federal, state,
2 local, and private governments and nonprofit groups
3 I hope that working collaboratively we can resolve
4 these most critical issues so important to all
5 parties involved and the environment and bighorn
6 sheep that roam in areas that are still wild and
7 free for all our citizens to enjoy.

8 Thank you in advance for your most
9 deliberate and careful consideration.

10 MR. CASE: Thank you. Number 3.

11 MR. HOUSTON: Thank you. My name is
12 Ryan Houston, H-O-U-S-T-O-N. I work with the Upper
13 Deschutes Watershed Council. And as you just heard
14 a few minutes ago from Tom Byler with OWEB, I
15 represent one of the watershed councils in the
16 state. And, in fact, our watershed council is
17 responsible for this area we're standing right now
18 and much of the landscape you saw as you were flying
19 into Redmond.

20 As a local organization we are
21 responsible for partnering landowners to work on
22 voluntary conservation efforts to help protect water
23 quality and fisheries in the two million acre
24 Deschutes River watershed.

25 So what I want to talk about are some of

1 the details very close to the ground and how some of
2 these things -- how some of the work the federal
3 government does can help us do some of the
4 collaborative conservation work we're trying to do
5 here in Central Oregon.

6 So I want to talk a little bit about a
7 project that's located just about 45 miles west of
8 here out at Lake Creek Lodge on the Metolius River.
9 This is a project where the watershed council and
10 the lodge owner began working together in 2003 to
11 restore a section of creek that was channelized back
12 in the 1930s.

13 We're looking at taking out concrete,
14 taking out rip rap, restoring natural habitat to
15 benefit water quality and fisheries in that area.
16 This is a project we haven't done alone. We've done
17 it with the help of Oregon Fishing and Wildlife Board, U.S.
18 Fish and Wildlife Service, State Department of Fish
19 and Wildlife, Deschutes River Conservancy, and a
20 number of other partners.

21 Since 2003 we've been working with that
22 landowner to build trust, to build the project,
23 design the project, to set up all the pieces that
24 need to be in place so we can actually implement the
25 project in October of this year.

1 And so it's roughly a three-year planning
2 process to get this set up and actually get it to
3 the point where we're ready to break ground in just
4 a couple of months.

5 And so now that we are moving toward
6 implementation had a chance to reflect a little bit
7 on how the project has worked and where some of the
8 components of the project have worked well and where
9 there's some components for the federal government
10 to step up and help make projects like this project
11 be that much more effective.

12 First of all, I think it's important to
13 recognize that successful conservation work takes
14 long term, steady investments. Episodic investments
15 don't help. Essentially, they throw the local
16 balance off kilter, and we lose some of the
17 long-term, stable relationship building that we need
18 out of long-term stable funding that comes with more
19 extensive long-term-type investments.

20 What this means is that when we're
21 working on projects like the project I just
22 described, we typically have a long-term period of
23 developing a relationship. We need the agency
24 staff, we need the funding, we need all of those
25 components in place so we can develop that

1 relationship and ultimately lead to the project
2 implementation.

3 The other important component in making
4 these projects successful is to continue funding
5 some of the key programs that are working. Programs
6 like the landowner incentive programs, programs like
7 the U.S. Fish and Wildlife Service partners with
8 Fish and Wildlife Program, which is, in fact,
9 funding the project I just described.

10 And finally, as Tom Byler mentioned
11 earlier, we need the agency staff in place over the
12 long term to help build these relationships and make
13 these projects effective. On technical assistance,
14 on permitting, and all the other various key
15 components the agency staff play in these types of
16 conservation projects. Thank you very much.

17 MR. CASE: Thank you. Number 5.

18 MR. HEISLER: Good morning. My name is
19 Todd Heisler. That's H-E-I-S-L-E-R. I'm the
20 executive director of Deschutes River Conservancy.
21 And heard a bit about us already this morning. I'd
22 like to -- we're an organization that really
23 epitomizes Cooperative Conservation.

24 And I thank all of you for coming here
25 this morning to listen to what we have to say about

1 Cooperative Conservation and give you an idea of how
2 it really works on the ground.

3 So what I wanted to do is tell you a
4 little bit about our organization, how it's
5 structured, and why this model works, why this is a
6 model that should be replicated, not only throughout
7 Oregon but throughout the country.

8 In 1996 Congress authorized us with a
9 board that has representatives from all the tribal,
10 private, and public interests. So on our board we
11 have the Confederated Tribes of Warm Springs,
12 farming and ranching, timber, hydropower, tourism,
13 real estate development, Forest
14 Service, Oregon Department of Fish and Wildlife,
15 Oregon Water Resources, and county representation.

16 So the DRC coordinates all of its
17 decisions by consensus. So all of these interests
18 come together at the table to make resource
19 decisions, particularly about water quantity and
20 quality in the basin by consensus.

21 And we seek so satisfy all of these
22 diverse needs for water, whether they be for
23 irrigators, tribes, growing cities, which we have
24 many, or for the streams.

25 So we have pioneered a proactive

1 collaborative approach that's avoided the conflict
2 in litigation that our neighbors, unfortunately, to
3 the south in the Klamath Basin has experienced so
4 much, and produced tangible cost-effective results.

5 So despite the many challenges that we
6 face with ESA and others, we've made steady
7 progress. We've been able to restore 137 CFS stream
8 flow through water conservation, water banking. We
9 have implemented water conservation projects with
10 fire, irrigation in districts locally.

11 We have established a water bank that
12 perhaps is the first, or at least the only existing
13 one that we know that is transferring permanent
14 water. So we're implementing win/win solutions in
15 the basin.

16 And the take-home message for you is that
17 our organization is in the middle of
18 reauthorization. Thank Congressman Walden for doing
19 a great job in helping us to get reauthorized.

20 The problem is this is the model that's
21 been invested in for ten years and yet we have a
22 hard time finding a home in the administration's
23 budget. And so right now we face zero appropriation
24 in the budget. And that's obviously a critical
25 problem. But we -- and we hope that you can do

1 something about it.

2 Last but not least, Oregon watershed
3 enhancement board is absolutely critical to our
4 success, and so Pacific salmon recovering funds in
5 Oregon are also very critical throughout Oregon,
6 particularly in Central Oregon.

7 MR. CASE: Thanks very much. Next,
8 number 6 through 10, if you could please come up.
9 Also, Senator Charlie Ringo, if you can come up in
10 this group, as well, and like to recognize him. I
11 apologize.

12 MR. WES: Morning. My name's Chris Wes.
13 I'm vice president with the American Forest Resource
14 Council. We represent about 94 product
15 manufacturers and landowners in the western states
16 and we're based in Portland.

17 Secretary Kempthorne, Congressman Walden,
18 Undersecretary Rey, and others, we're so glad you're
19 here in Redmond today to listen to our thoughts and
20 concern with regard to Cooperative Conservation and
21 the management of our public lands here in the west.

22 I have three main things I want to talk
23 about. First, it's been 31 years since the
24 Endangered Species Act was passed. It had great,
25 noble, and good intentions. The reality, though, is

1 we've done a horrible job of both conserving and
2 recovering species.

3 It's time after 31 years to do some
4 updating and modernization of the laws, this law and
5 the regulation so that we can get on with the
6 business of recovering species and keeping species
7 off the list.

8 Second, while NEPA, when it was passed
9 was a noble law, it was actually a very short
10 statute. During the last 30 years the courts have
11 added requirements that are not found in either
12 statute or the regulations.

13 And we need to take a critical look at
14 the CEQ procedures to simplify the process so the
15 projects can move ahead and that we can minimize the
16 impact the courts have on enjoining well-intentioned
17 and well-planned projects.

18 But lastly, as we are gathered here in
19 Redmond, we can see and smell the smoke from some of
20 the wild fires burning in the region. I would ask
21 that both the Interior Department and Ag Department
22 conduct a thorough review of your current fire
23 suppression policies, especially as they relate to
24 wilderness, roadless areas, and national parks.

25 Over the last several years we have

1 learned here in Oregon from the Hash Rock fire to
2 Biscuit fire, B and B fire, and this year from
3 blazes that are started in Bridge Creek, Mount Hood,
4 Mount Jefferson, and Mount Washington wildernesses.

5 The catastrophic fires destroy some of
6 Oregon's finest backpacking destinations, diverse
7 forests, Spotted Owl habitat, and spawning grounds.

8 Your current policies of lackluster fire
9 suppression in these remote areas are allowing these
10 fires to grow uncontrollably devastating the values
11 that we're allegedly protecting, while also burning
12 up private property and manages forests when they
13 escape from the wilderness or park boundaries.

14 MR. CASE: Thank you. Number 7.

15 MR. GEISINGER: Good morning. My name's
16 Jim Geisinger. That's spelled G-E-I-S-I-N-G-E-R. I
17 represent Associated Oregon Loggers. We're a trade
18 group representing 1,100 family-owned independent
19 contractors who work in the woods.

20 I'm going to spend my entire two minutes
21 this morning on the issue of NEPA. 58 percent of
22 forest lands in Oregon are owned by the federal
23 government and there are very little forest service

24 presence that can make the Bureau of Land Management can do
25 that

1 doesn't have to go through some kind of NEPA
2 analysis.

3 As Mr. Wes just pointed out, this law's
4 over 30 years old. It was a very simple statute
5 that required agencies to disclose the consequences
6 of major federal actions. That sounds pretty
7 simple.

8 But after 30 years of litigation and
9 interpretation and reinterpretation by the courts of
10 the regulations to implement this law I submit that
11 it is broken and it's something that desperately
12 needs to be looked at if Cooperative Conservation is
13 going to succeed at all.

14 Probably the best example I can think of
15 is the salvage effort by the National Forest a couple
16 years ago. Forest Service spent two years preparing
17 an environmental impact statement to salvage the
18 timber that was burned by catastrophic wild fire.
19 Federal court judge declared the EIS inefficient for
20 a number of reasons, one of them was the Forest
21 Service did not measure the consequences of fires
22 that may occur in the future.

23 Now, gentlemen, I ask you, how can anyone
24 do that? You don't know when it's going to occur,
25 where it's going to occur, what the intensity is.

1 But now if we don't have this measure of
2 consequences of what we're going to do we have to
3 measure the consequences of something that might or
4 might not happen. And that's just one of many
5 examples of what needs to change if this law is
6 going to function the way it was intended.

7 And the consequence of all this, frankly,
8 is many land managers, managers in the agencies have
9 just given up trying to do anything. I can't tell
10 you how many meetings I've been in and others in
11 this room have been in where a district ranger or
12 forest supervisor will say, I'm not going to spend
13 \$2- or \$300,000 preparing an environmental impact
14 statement on a project that's going to get shot down
15 in court.

16 And this issue is over process. It's not
17 over substance or environmental protection. NEPA
18 was intended to be an environmental disclosure law,
19 and it's been used in a very, very different way to
20 obstruct and prevent projects from occurring on the
21 ground.

22 This wasn't the intent of the law. The
23 regulation simply needs to be revisited. And for
24 some reason CEQ seems to be reluctant to do that.
25 So the representative of a variety of agencies, I

1 would implore you to ask them to take a serious look
2 at that.

3 And, finally, Congressman Walden, I'd
4 like to thank you for passing a Healthy Forest
5 Restoration Act. It was a wonderful tool to be
6 given to the Forest Service and the BLM. But,
7 unfortunately, it's not being fully utilized to its
8 potential.

9 We have another catastrophic wild fire and
10 Forest Service restores 5 percent of what's burned
11 and declares victory. That's unacceptable. They
12 can do a lot more, you've given them the tools to do
13 it, and I encourage you to urge them to use it to
14 their fullest extent. Thank you.

15 MR. CASE: Thank you.

16 MS. MCNAMARA: Good morning. My name is
17 Darcy McNamara, M-C-N-A-M-A-R-A. And I'm a board
18 member with the Deschutes Watershed Council. I'm
19 here today about the council's work. We have a
20 16-member board, and we're all volunteers, we're
21 from all walks of life in the area and represent the
22 values of all types of different citizens. And we
23 get together to work on restoration projects and to
24 educate the community.

25 About eight years ago we got -- the

1 council got together with Deschutes Basin Land Trust
2 and the Deschutes River Conservancy to begin working
3 on an event what we call Riverfest, which is a
4 celebration of the Deschutes River.

5 We've been doing that for eight years
6 now. And it is one of the first partnerships
7 between the three groups. Today those partnerships
8 have blossomed into a whole array of different
9 partnerships with those groups and others to build a
10 strong base and working together towards projects.

11 As you heard earlier from our director,
12 Ryan Houston, the projects take a long time to
13 create, and working with federal government and
14 others to get permits and that sort of thing. It
15 can take many, many years to bring the project to
16 fruition.

17 So I would just encourage continued
18 funding, especially of staffing of federal agencies
19 because we really, really need their expertise and
20 advice and to process permits quickly. And also to
21 think more towards the long-term funding. We're
22 just currently starting to work with some
23 foundations who are looking to get funding for
24 ten-year periods of time, which is extremely helpful
25 to us. Thank you very much.

1 MR. CASE: Thank you. Number 9.

2 MR. MARSHALL: Mr. Secretary, Congressman
3 Walden, distinguished guests here today. I'm
4 Gary Marshall, M-A-R-S-H-A-L-L.

5 I appreciate the efforts been made here
6 to -- by this administration to improve these
7 Cooperative Conservations going on.

8 I want to focus my time on one thing that
9 determines success or failure in any activity that
10 the government undertakes, and that is the people
11 that are involved in it.

12 We have to recognize that the salvations,
13 we can't use the same kind of actions or continue
14 along the same type of thinking we used to create
15 the problem. We have Congress in place that drafts,
16 enacts laws and develops policies, and using the
17 best science. And the actions we take afterwards a
18 lot of times or the final outcomes are very
19 dissatisfying.

20 We need to reverse the current cycle and
21 dissatisfaction. And we can only accomplish this
22 through the people that are interacting with the
23 local citizens and the stakeholders.

24 For the federal government to become more
25 adapted to the collaborative conservation effort I

1 want to offer these four suggestions: Number 1, the
2 agencies need to fully understand what the
3 collaborative process is. Collaboration is not
4 funding various partners to provide resources so the
5 agencies can move ahead on a particular initiative.

6 Number 2, the agency employees need to
7 have a broad base of understanding. Many times the
8 employees through their career develop understanding
9 of agency culture but offer limited in knowledge
10 regarding community culture.

11 Number 3, we need to be willing to
12 resolve issues in a manner that all parties accept
13 the resolution and are willing to implement. Human
14 nature does not trust what we do not know many
15 times, and we need to overcome that.

16 Number 4, personalities and natural
17 people skills are many times more important in
18 successful collaboration than we give them credit for.

19 We need to --many times it is -- for the agency it is
20 effective

21 to relocate the highly effective people, and we need
22 to provide incentives for people working in the
23 agencies on a local level are doing well, can be
24 maintained in their jobs at the local spot.

25 I just want to, again, thank you for the

1 opportunity to speak here today.

2 MR. CASE: Thank you. And if 11 through
3 15 could come on up.

4 MR. ROBERTSON: Morning, Secretary
5 Kempthorne, Congressman Walden, Undersecretary Rey,
6 other distinguished members of the panel. My name
7 is Doug Robertson, R-O-B-E-R-T-S-O-N. And Douglas
8 County Commissioner, and also president of the
9 Association of O and C Counties.

10 As a member of the Douglas County Board
11 of Commissioners I've had the opportunity to work
12 with both BLM and Forest Service as a cooperating
13 agency, providing the opportunity for local elected
14 officials to work closely with their respective
15 federal agencies on projects and issues that have
16 significant impacts on their communities and
17 counties has incurred the essence of Cooperative
18 Conservation. It is the beginning and a step in the
19 right direction.

20 For far too long rural
21 communities have felt left out, have felt that their
22 opinions, experiences, and local knowledge have been
23 ignored. And for good reason. In many instances it
24 has been.

25 A classic example is embodied in a plan

1 that not only frustrates many of the principles of
2 the Departments of Agriculture and Interior, but also
3 serves as an impediment for reaching the state goals
4 of both agencies as it relates to forest health
5 protection, wildlife habitat, and species, and
6 maintaining the stable economy for a rural
7 community. I'm referring, of course, to
8 national -- to the Northwest Forest Plan.

9 It's important to realize that 30 days of
10 frantic, disjointed secret discussions could never
11 produce a comprehensive plan addressing complex
12 issues mentioned above. What it has produced is
13 confusion, division, and litigation. This is just
14 one reason why this fragile concept of Cooperative
15 Conservation provides the opportunity for a new
16 direction, new beginning.

17 A new direction takes into account, for
18 instance, the advancements that have occurred over
19 the last several decades of forest science and
20 technology. Someone once said that repeating the
21 same action over and over again with the expectation
22 of different results is a definition of insanity. I
23 don't know if that's true, but I know it's not a
24 productive way to solve problems.

25 I also know that we are all going to face

1 a true life situation very soon that will put us to
2 the test. Northwest Forest Plan was developed
3 primarily to stabilize and recover the Spotted Owl.
4 A decade and a half after its implementation the
5 Spotted Owl is declining. In some areas
6 dramatically.

7 Not because of human-generated activities
8 but because of the invasion of the Bart Owl. The
9 Spotted Owl recovery team is in the process of
10 developing its recovery plan with a draft soon to be
11 released.

12 What a great opportunity to use one of
13 the few useful concepts of the Northwest Forest
14 Plan. The concept is a good one. Trying something
15 new, something innovative, creative, and something
16 besides locking up vast expanses of federal forest
17 land with the hope that something good will happen.
18 The hope that dims with each new fire, insect
19 infestation, and/or the outbreak of arboreal
20 disease.

21 In closing, let me simply refer to one of
22 the best examples of Cooperative Conservation being
23 undertaken today anywhere in the country. In fact,
24 throughout the country. And it is the Title 2
25 provision in the rural schools and community

1 self-determination act.

2 As you know, in about 40 days that act
3 is due to sunset, and it is our hope that we will be
4 able to continue to work together for
5 reauthorization of that act. Thank you.

6 MR. CASE: Thank you. 11.

7 MR. MORIARTY: Good morning, Secretary
8 Kempthorne, Congressman Walden, distinguished
9 members of the panel. Thank you for being here this
10 morning.

11 My name is John Moriarty,
12 M-O-R-I-A-R-T-Y, and I am the coordinator of the
13 Network Oregon Watershed Council.

14 Watershed councils are a crucial
15 component of the statewide commitment to Cooperative
16 Conservation in the Oregon plan for salmon
17 watersheds that Director Byler mentioned earlier.

18 Each watershed council has been afforded
19 by its local community and approved by local
20 government entities. Each is composed of a broad
21 cross-section of local interest, including timber,
22 agriculture, conservation, tribal, small landowners,
23 urban, university, and local, federal, and state
24 agencies.

25 With these diverse perspectives at the

1 table watershed councils build trust among community
2 members and between communities and government
3 agencies.

4 This foundation of trust and
5 communication provides a basis for the on-the-ground
6 projects that are aimed at protecting water quality,
7 restoring fish and wildlife habitat, and maintaining
8 working landscapes.

9 Investments in Cooperative Conservation
10 made through watershed councils compliment
11 regulatory mechanisms and reflect community
12 interests. Watershed councils provide an important
13 vehicle for bringing scientific knowledge and local
14 understanding together to protect -- for productive
15 results.

16 Councils are operating in communities
17 throughout Oregon. From the coast to the Cascades
18 to the high desert to Willamette Valley. And this
19 morning you're hearing from some of those council
20 members who work in this area and in Klamath and
21 others.

22 I would ask you to listen to their
23 presentation with an understanding of such stories
24 that are being reviewed throughout the state.

25 Local action is taking place within a

1 broad framework from statewide to national goals and
2 objectives. Now, while these actions are locally
3 and community based, the role of the federal
4 government is critical to our success. As you heard
5 earlier, steady, long-term involvement, investment
6 ensures the ability of both councils and other
7 partners at the local level to facilitate the
8 communication and engage in significant long range
9 planning, outreach project implementation, and
10 monitoring, which is key to success.

11 And it's that effectiveness monitoring,
12 it's knowing what's working and what's not and how
13 to adjust for what's not is also critically
14 important and part of the long-term picture.

15 Sufficient staffing in local offices for
16 the federal natural resource agencies are vital in
17 providing technical assistance, timely permit
18 processing, and attention to partnerships of both
19 organizations.

20 Steady and sufficient federal funding is
21 essential to match the significant state and private
22 investment originating in Oregon so that watershed
23 councils and our other partners can continue to work
24 efficiently and effectively throughout the state.

25 I thank you very much for being here this

1 morning and for hearing my comments.

2 MR. CASE: Thank you. 12.

3 MR. FELDMAN: Actually, I'm 13. I guess
4 number 12 -- I'm Randy Feldman. I'm the assistant
5 forester for PacifiCorp from Salt Lake City.
6 PacifiCorp's home office is in Portland, Oregon.

7 I'm also vice president of the Utility
8 Arbor Association. We're an electric utility
9 that serves six western states and are responsible
10 for delivering that commodity.

11 Unfortunately, trees can conflict with
12 that. Trees contacting transmission lines can start
13 fires, and they can cause catastrophic outages. For
14 example, the August 14, 2003 outage back east was
15 initiated by trees. There were two other such
16 outages here in the Western United States in 1996.

17 We have been frustrated over the years
18 over what we perceive as a history of inconsistent
19 cooperation with federal agencies over our ability
20 to manage the runaway corridors. Some folks
21 understand the issues and allow us to do so and move
22 tall vegetation. Others look at the timber species
23 and say that's the only tree that is -- only plant
24 community that's appropriate for the use of the
25 land. We get a lot of timber species growing on

1 transmission corridor.

2 Now, these ideas have developed over the last five
3 years, including when I was chairman of the task
4 force. Was working with federal agencies to develop
5 a memorandum of understanding to implement best
6 managing practices. Best managing practices has
7 been shown to enhance wildlife habitat, protect the
8 electrical corridor in a cost-effective manner.

9 That effort culminated last spring the
10 signing of the memorandum. So I ask for your
11 support in promoting provisions of that memorandum
12 of understanding with the agencies over which you
13 have responsibility.

14 I think it's a good example of
15 cooperation with federal agencies and industry to
16 protect the environment and to help deliver a
17 valuable commodity; in this case, electricity, an
18 environmentally sensitive matter. Thanks for
19 listening.

20 MR. CASE: Thank you. Number 14.

21 MR. GASSER: I'm Bob Gasser, G-A-S-S-E-R.
22 I'm a fourth generation Klamath County resident and
23 co-owner of Nation Fertilizer, an independent
24 fertilizer company that employs 27 people.

25 As a member of the executive board and

1 Klamath Water User Association and a retailer I'm
2 very familiar with the price that's created by the
3 misuse of the ESA.

4 One of the prime examples of why we need
5 sound and balance approach to scientific decisions
6 occurred early in our fight for water. I'd like to
7 briefly share this heart-breaking story.

8 A dear friend of mine, a good farmer, and
9 agri businessman, hard-working, intelligent man who
10 played by the rules was left bankrupt and
11 disheartened by those unjustified decisions.

12 Shortly after the decision to deny all
13 water to the Klamath project this man received a
14 standard loan approval from his bank to farm the
15 2001 crop season. All he had to do was sign the
16 paper and send them in.

17 He chose not to sign these papers based
18 on the no water decision prior to 2001. This farmer
19 had unexpectedly had two poor market years and he
20 needed 2001 to catch up.

21 Unfortunately, during 2001 he was not
22 able to farm without water. In the fall of 2001 his
23 bank unexpectedly foreclosed on his entire
24 operation, partially based on insecurity of the
25 Klamath water supplies.

1 After 30 years of farming he lost
2 everything and still has not recovered. Ironically,
3 in 2001, was a huge market year for those who could
4 farm. He could not -- he could have paid off all
5 his debts and had money in the bank.

6 Add insult to injury, shortly after
7 bankruptcy, National Academy of Science ruled that
8 the water cutoff was not justified. How does one
9 explain this decision to this hard-working family?

10 Under current regulation natural resource
11 management should be changed and include food producers who
12 have the
13 ability to make a difference in species recovery are
14 being eliminated piece by piece, handcuffed by ESA
15 laws.

16 ESA must be updated using balanced
17 scientific approach by empirical data, not simply
18 some bureaucrat's models and graphs. Why am I
19 telling you this story? Without farmers, fishermen,
20 ranchers, tribes, people on the land, species
21 recovery is impossible. No bureaucrat in a dark
22 office can make models and graphs to save one
23 salmon.

24 I am proud to say Klamath water use is
25 working with all groups; fishermen, tribes,

1 environmental groups, and federal agencies. It is
2 nice to say that we all need to work together, but
3 some groups do not want a fix. We must not let
4 these folks stop progress, like they have in the
5 past in the court systems. Thank you.

6 MR. CASE: Thank you. Number 15. And
7 ask the 16 through 20 to come on up, please.

8 MS. GASSER: Morning, gentlemen. Thank
9 you for coming. My name is Patsy Gasser, and I
10 represent all those people who have been personally
11 hammered by the ESA.

12 I'm a fourth generation Klamath Basin
13 resident, also. We are also landowners of private
14 property in both California and Oregon. During 2001
15 the ESA caused an incredible amount of devastation
16 in the Klamath Basin to people, property, and 430
17 other species while providing no documented
18 assistance whatsoever to salmon and sucker fish.
19 When the water cutoff was announced our lives were
20 turned upside down.

21 I hope to never again witness such a
22 man-made crisis. A quarter million acres of good
23 farm land providing a safe domestic food supply was
24 essentially shut down.

25 Ecologically it was a disaster. Animals

1 died by the thousands. 1,400 miles of habitat in
2 the form of irrigation canals went dry. The water
3 cutoff left the premier feeding grounds in the
4 Pacific flyway lifeless and barren.

5 The farmers in the Klamath Basin feed
6 those birds in the Pacific flyway by the hundreds
7 and thousands. But the worst sight to me was the
8 look in the eyes of the people of our basin.

9 Proud, hard-working, tax-paying Americans
10 were suddenly denied the right to make a living.
11 Overnight we had no work, our land values dropped
12 from \$1,500 to \$2,000 an acre to less than \$50 an
13 acre. Our businesses struggled to stay open.
14 Without water to grow crops no one buys fertilizer,
15 tractors, cars, or even groceries as usual.

16 We were betrayed by our own government
17 because of a decision based on faulty, unproven
18 science. Later the National Academy of Science said
19 it wasn't justified. That was welcome news but it
20 was too little too late for those who suffered
21 stress-related heart attacks, bankruptcies, and
22 foreclosures. We have not recovered.

23 In 2006 the ESA must be updated to
24 provide the balance in decision-making based on
25 sound science. We must consider people, families,

1 common sense, along with species recovery. Without
2 this change natural resource users and food
3 producers across the nation need to realize that it
4 will be us today, you tomorrow.

5 We are so grateful to Congressman Walden
6 and the whole Bush Administration's effort to make
7 these vital updates to the ESA a reality. Thank you
8 so much for coming and for listening.

9 MR. CASE: Thank you. Number 16.

10 MR. KENNEDY: Secretary Kempthorne,
11 Congressman Walden.

12 Thank you for aspiring to see the big picture.

13 My name's Phil Kennedy. I'm a cattle
14 ranger from Klamath Falls. I'm a member of the
15 Water Users Association, chairman of the Family Farm
16 Alliance, the alliance who advocates to farmers and
17 ranchers throughout 17 western states.

18 The ranch that I operate depends on water
19 supplies from the Klamath project. Over the last 30
20 years it's been a private wildlife refuge. In 2001
21 single species management allocated a thousand acres
22 of private wildlife habitat to two species at the
23 expense of over 400 species indigenous.

24 I offer you some compliments in some
25 cooperation and conservation and management. I also

1 give you some suggestions on how the Interior can be
2 a better partner to private landowners in the U.S.
3 around the Klamath Basin.

4 Willingness to create flexibility by
5 people like Ron Cole of the United States Fish and
6 Wildlife Service has resulted in a successful
7 program. This is a partnership program that
8 works for the nation's oldest wildlife refuge and
9 agricultural community.

10 I compliment the Klamath Basin
11 office, fish and wildlife, as well as the Klamath
12 reclamation project for developing better working
13 relationships since last year. Kudos to Kurt Moss.
14 This has resulted in flexible rotation of biological
15 opinions for sucker and coho.

16 A direction that is not benefitting the
17 Interior in regards to actual land ownership. At
18 the moment we stand here we see Interior to continue to sign
19 acquisition bills. This direction is contrary to
20 Constructive Conservation.

21 Over the past 25 years close to 30,000
22 acres of productive private irrigated ground has
23 been acquired by the Interior. Besides reducing our
24 county tax base, the result has been to dismantle a
25 very important infrastructure for interstate and

1 international commerce.

2 From the history of Wood River Ranch to
3 reclamation acquisition efforts the community
4 has been told that the transfer of ownership and
5 management will result in flexible management.

6 Instead we have seen more stringent
7 biological opinions that are interpreted to reduce
8 water supply flexibility.

9 Members of the community have seen how this and many
10 other

11 examples of how onerous the expensive
12 process associated with Department of Interior can
13 be. Interior's been flat overall in development of
14 the west. That development goes on today at an
15 unprecedented rate and is placing significant
16 pressure on all our resources.

17 We are better off with Cooperative
18 Conservation programs in force to strengthen each other
19 throughout the west. We ask to continue to
20 advocate for infrastructure and resource
21 development that includes clean water supplies and
22 healthy wildlife habitat.

23 We look forward to our improving
24 relationships with the United States Department of
25 Interior. Thank you.

1 MR. CASE: Thank you. 17.

2 MR. CHARFANT: Good morning. My name is
3 Brad Charfant, that's C-H-A-R-F-A-N-T. I'm
4 executive director of the Deschutes Basin Land
5 Trust. I'd like to thank Congressman Walden,
6 Secretary Kempthorne, Undersecretary Rey,
7 distinguished gentlemen for coming here today.

8 We're in the heart of one of the fastest
9 growing parts of this country, and we're facing
10 unprecedented challenges with growth. It brings a
11 very vibrant community but it makes it very
12 difficult for local communities to absorb the kind
13 of rapid change that we're seeing here.

14 My organization, Deschutes Basin Land
15 Trust, is all about Cooperative Conservation.
16 That's our bailiwick, that's exactly what we do.

17 And I want to emphasize that here in
18 Oregon, here in Central Oregon, we've got a proven
19 track record. We've achieved great things. You
20 heard earlier about the stream miles have been
21 restored, that we've seen water come back into the
22 streams. We've done unprecedented things.

23 Our partnership with the Confederated
24 Tribes, Portland General Electric, the DRC,
25 Watershed Councils is leading to reintroduction of

1 the legendary runs of salmon and steelhead in the
2 upper Deschutes Basin.

3 We've also worked with the legislature,
4 we've enacted legislation that will allow us, we
5 believe, to conserve some of the very important
6 vibrant timber land that is facing a loss of
7 productive use, likely to be converted to
8 residential, recreational use. We'd like to keep
9 those lands in production.

10 But the emphasis I need to put -- or the
11 point I'd like to make today is we need your help.
12 Let us do the cooperative innovative work, but help
13 us with the funding. Whether it's OWEB and the
14 Pacific salmon restoration funding, forest and
15 legacy, we need your support, we need that continued
16 support over a long period of time.

17 Cooperative Conservation only works if
18 folks on the ground have your support and the
19 funding to make the job work. Thank you.

20 MR. CASE: Thank you. 18.

21 MR. COMPTON: I'm 19, if that will work.
22 Thank you. My name is Dave Compton, C-O-M-P-T-O-N.

23 And I'd like to thank you for coming to hear our thoughts. It
24 is an honor to be before such a distinguished
25 group of gentlemen.

1 One of the criteria, I think, is that you
2 must be able to consume 47 times your weight with what is grown
3 every year. And you seem to be doing that pretty
4 well.

5 The fact is there is acid out there. Our
6 growers started growing in the Parkdale area back in
7 1896 with the first water right. Our growers are
8 very progressive and have made many on farm
9 improvements some of which are canals, put in sprinklers,
10 and most recently are growing -- growing number of
11 acreages are being irrigated through microsprinklers.

12 These improvements have all been paid
13 solely by the growers. The growers have been
14 recognized for efforts that help improve items to
15 facilitate better fish habitat, passage, and water
16 flow. These efforts have been noted by receiving
17 the Friends of Fishery Program Award.

18 Many growers in our district strongly
19 support protection of the wilderness. We definitely have
20 a diverse group of growers. Many of them are
21 stumped by the process.

22 These costs have been all paperwork,
23 process, and legal fees. None of this money has
24 improved anything on the ground.

25 So if you ask how can the federal

1 government work with state and tribal and local
2 folks, give them more control. We have some solid
3 individuals, good people at ODW, biologists, very solid
4 individuals, should not have to compete with others
5 at a table.

6 We are trying to work together in an
7 adaptive managerial process. You will have a
8 federal agency make statements like, well, they're
9 in favor of fish, we want to do this. These and other
10 types of statements are only made to put you on
11 notice about who has the power at the table. There
12 will never be progress made between contrary
13 positions.

14 We are very fortunate to have district
15 forest manager, Diane Bambi, to help bring balance
16 to the discussion on fish, farms, family, and the
17 future.

18 We do not like the taste of foreign oil
19 and dependency. Wait until we try to taste the
20 foreign food policy. By now USDA web site shows a
21 \$9 billion export of U.S. food products, but a \$12
22 billion import foreign food products. Or, my
23 calculation, about a \$3 million shortfall.

24 Uniform irrigation strongly supports the
25 conservation effort, adaptive management process.

1 And let me say that -- and the updating of the ESA.
2 Thank you.

3 MR. CASE: Thank you. 20.

4 MR. BLANK: Secretary Kempthorne and
5 other members of the panel, thank you for coming to
6 Central Oregon. My name's Herb Blank, I'm a member
7 of the Upper Deschutes Watershed Council. Also a
8 member and board member of Central Oregon Fly
9 Fishers.

10 My wife and I retired to Central Oregon
11 about five years ago to enjoy outdoor recreation,
12 including fly fishing. We both are fly fishers.
13 We've been disappointed and saddened to see the
14 degraded situation of many of our rivers and streams
15 here in Central Oregon.

16 Oregon needs organizations like the
17 Deschutes River Conservancy and Watershed Councils
18 in order to restore the flows in our rivers and to
19 upgrade and maintain stream channels and riparian
20 areas. Improvements to water quality and water
21 quantity means better fish habitat and better
22 recreation opportunities.

23 Stable general funding can leverage local
24 funding, stimulate volunteer activities in these
25 conservation activities. This is my simple message.

1 Appreciate your time. Thank you.

2 MR. CASE: Thank you. 21. If 21 through
3 25 could please come on up I'd appreciate it.

4 MR. LOFTUS: My name is James Loftus,
5 L-O-F-T-U-S. I'm going to share with you my
6 experience of Cooperative Conservation. It was in
7 the middle of last year I was approached by the
8 county tax assessor, and they threatened me with ten
9 years back taxes unless I put a conservation
10 easement on my property.

11 So I asked them to leave me the
12 documents. I subsequently sold my farm. I don't
13 know what happened, whether the individual who
14 purchased it was required to get a conservation or
15 not, but I consider it extortion.

16 Where is private properties in this
17 discussion? If you folks are really interested in
18 hearing from the people instead of watershed
19 councils, I'm talking about the farmers. You guys
20 should be ashamed of yourselves. It's in the middle
21 of harvest season, farmers are in their field right
22 now.

23 So if you want, I would be more than
24 happy to put you on a tour so you can go and visit
25 some of the people like I did last summer down in

1 Klamath Falls.

2 Greg Addington didn't tell you about the
3 family where the father killed himself because he
4 had no water. Or the U.S. marshals with automatic
5 machine guns and a little old lady trying to water
6 her cattle and was being threatened with being shot
7 if she did so.

8 This is America. And this family was
9 utterly destroyed. They were fifth generation
10 farmers in this state. Where are the farmers? Can
11 I see -- raise your hands if you're a farmer in
12 here.

13 So you guys are outnumbered. The
14 endangered species here is the farmer. And it's
15 real simple. The ESA has not been reauthorized.
16 All you have to do is not appropriate any funds.
17 Repeal the damn thing. Have a nice day.

18 MR. CASE: Thank you. 21. Go ahead.

19 MR. GIBBS: 22. Thank you all for being
20 here. My name is Jake Gibbs, G-I-B-B-S. I'm a
21 forester with Loan Rock Timber in Roseburg, Oregon.
22 And I'd like to share with you my experiences with
23 Oregon's success story on Cooperative Conservation
24 and my opinion of the Oregon plan.

25 But first, before I start on that I'd

1 like to echo Mr. Geisenger's comments earlier on
2 NEPA. My concern is if there aren't changes done at
3 that level then all the stuff on the ground becomes
4 very difficult to implement.

5 I've been active in the Oregon plan
6 locally and at the state level. My local
7 involvement has been through my watershed council,
8 the partnership of the Umpqua rivers, which
9 Secretary Kempthorne, Department of Interior 2006,
10 take pride in America award.

11 Working through their organization I've
12 been involved implementing on the ground
13 instrumenting habitat improvements, forming
14 watershed assessments, et cetera, across public and
15 private lands.

16 I'm also president of the board of
17 director of Oregonians for Food and Shelter, a
18 statewide organization farmers, ranchers, foresters,
19 and applicators who are focused on natural resource
20 issues.

21 Northwest members and staff engaged at
22 the Oregon plan state level working on policy
23 issues, funding priorities and policy
24 implementation.

25 This decision is a prime example of the

1 outcomes possible through Cooperative Conservation.
2 Scientific findings determined by a team of federal
3 and state scientists, coupled with our efforts on
4 the ground, were recognized as a major contributing
5 factor in the decision.

6 I tried to answer the questions that were
7 provided on the web page and did the following list
8 that's my hope in answering this.

9 I'd like to take this opportunity to
10 share with you why the Oregon plan has been
11 successful and point out some obstacles that remain
12 in our way.

13 Why the Oregon plan works. Recognition
14 of the value and active management. Oregon plan
15 takes a proactive approach to species identified. I'm a
16 forester, I
17 can understand that.

18 The Oregon plan recognizes the dynamics
19 of the situation and while precautionary resource
20 management may contribute. There is no evidence that actively
21 working in
22 enhanced and restored habitat will recover species
23 more efficiently.

24 The private landowners and the species
25 recovery. The coho salmon, the majority of that

1 habitat is on private land. The Oregon plan
2 works by means of financial, technical, and nonregulatory
3 to encourage private landowners to voluntarily do
4 the right thing.

5 It was recognized in another set of rules
6 and regulations limiting use that would not
7 result in timely species recovery.

8 Cooperate rather than regulate. The
9 Oregon plan allowed state agencies to move from
10 regulatory agency to landowner system capacity. I'm
11 proud of my relationship with my local fish and
12 wildlife, state fish and wildlife.

13 The state's committed expert staff to
14 assist in identification and implementation of
15 on-the-ground projects.

16 My personal experience, I've gone from
17 avoiding agency staff contacts to initiating contact
18 to explore enhancement opportunities as part of my
19 team efforts.

20 MR. CASE: Thank you. While you're
21 coming up, we will take a break at 11:00. You no
22 doubt noticed they've been served coffee up here and
23 water. So we will take a break at 11:00.

24 MS. SUTER: Ladies and gentlemen of the
25 panel, my name is Marnie Suter, S-U-T-E-R. I'm the

1 district manager for Harney Soil and Water
2 Conservation District. I am also a board member of
3 the High Desert Partnership, which you heard about a
4 little earlier. And I'm also very proud to be a
5 small cattle operation owner.

6 Today I'd like to talk to your five
7 points. What it boils down to, and you guys -- I
8 saw a few heads shaking earlier, is personalities.
9 It's how you federal managers put your management on
10 the ground.

11 I think it's important to have a system
12 in place for your people that are working
13 effectively through this collaborative effort
14 locally to stay in place, offer some incentives for
15 those folks to stay in place so that they can
16 effectively promote Cooperative Conservation on the
17 ground.

18 Secondly, I think a big thing that we see
19 anymore on the landscape is academia. And no
20 offense against academia, but what happened to
21 practical experience?

22 When you guys are writing plans for folks
23 and have no understanding of what it means to go
24 build ten miles of fence, but yet you're planning to
25 make a producer or a landowner build those ten miles

1 of fence, I think that's really important to instill
2 in your -- in the people that you're putting on the
3 ground.

4 I want to end in a positive note. Five
5 years ago when I came to Harney County I fell off a
6 watermelon truck coming out of the Columbia Basin.
7 But we were litigating, everybody was fighting, or
8 seemed to be fighting. The conservation district
9 was suing Mount Rainier National Wildlife
10 Refuge.

11 There's a lot of animosity. But really
12 what it comes down to is federal agencies have some
13 really good personalities sitting at our table. And
14 without those personalities we wouldn't have gotten
15 over our road bumps.

16 And so the parting question to you is, is
17 there a mechanism to implement all five of these
18 points to keep good people on the landscape, to have
19 the ability to keep those folks there through
20 incentives financially or what have you, and listen
21 to your local people that are pulling together in
22 these cooperative efforts, and have some buy-in and
23 ownership from the locals instead of somebody making
24 a decision in a remote city from a landscape.

25 So the High Desert Partnership is working

1 with these people to put things together in a
2 cooperative manner so that we can get away from that
3 litigation and bring that environmental community to
4 the table so that they understand what we're about
5 and we understand what they're about so that we can
6 move forward, that we're not continually litigating
7 and debating what exactly we should do and we're
8 getting progress on the landscape. This is what
9 Cooperative Conservation is all about. Thank you,
10 guys, for coming.

11 MR. CASE: Thank you. 24.

12 MS. LIVINGSTON: Presiding and
13 participating members, I thank you for the
14 opportunity to speak to you today about the
15 Endangered Species Act and its impact on
16 ranchers.

17 My name is Sharon Livingston,
18 L-I-V-I-N-G-S-T-O-N. I operate a ranch at Long
19 Creek, Oregon. I'm currently serving as president
20 of the Oregon Cattlemen's Association.

21 My affected members asked me -- requested
22 me to read today from Case Number 06-946-K1 filed in
23 the United States District Court for the District of
24 Oregon. A local environmental group and an
25 out-of-state partner have filed a complaint against

1 high-ranking officials and agencies, some of who are
2 represented here today, for declaratory and
3 injunctive relief challenging the failure to comply
4 with the Endangered Species Act and managing public
5 lands for steelhead, trout, and bull trout in
6 Eastern Oregon's Malheur National Forest.

7 The charge is that flawed biological
8 opinions have been issued at the expense of
9 threatened fish habitat and to the benefit of
10 domestic livestock grazing.

11 The above litigation affects 16
12 allotments, 26,659 per minute animal unit months,
13 and 23 permittees. This is another attempt at
14 removing all historical grazing from the gem of
15 Grant County of Malheur National Forest.

16 60 percent of that county for Malheur
17 National Forest is located and is under public
18 management. Without grazing on public lands these
19 23 permittees and their families will be out of
20 business and our local economy will be greatly
21 affected.

22 Outside interests have purchased land in
23 Grant County removing it from traditional grazing
24 and make it economically impossible for permittees to
25 replace, purchase that grazing land which might be

1 removed from their use by the above-mentioned
2 litigation.

3 Despite increased monitoring and
4 increased management practices we're still under
5 extreme pressure of losing grazing on public lands.
6 At the end of the day no matter what we do it is
7 never enough.

8 Unlike nonprofit groups, our local
9 ranchers do not receive funds to answer these
10 litigations. And our agencies are forced to spend
11 very valuable dollars on such litigation at the
12 expense of improvements on our Malheur National
13 Forest, and at the expense of the permittees who must
14 file to protect their interests.

15 I recommend cooperation, collaboration,
16 and consultation to replace litigation and
17 legislation. On behalf of my membership I ask that
18 you work diligently to stop these lawsuits that are
19 draining our local economy, put the dollars back
20 into improvement, and help our agencies to continue
21 the fine job that they are trying to do. Thank you
22 for your consideration today.

23 MR. CASE: Thank you. 24? 25? Okay.
24 Moving right along.

25 MR. FERRIOLI: State Senator

1 Ted Ferrioli. Spelled F-E
2 double R, I-O-L-I. Congressman Walden, my
3 congressman, Undersecretary Rey, Secretary
4 Kempthorne, my friend Bob Lohn, members of the
5 community, thank you for being here. It's my honor
6 to be here to listen to citizens talk about the
7 issues they feel must be addressed here.

8 I'm proud to talk about what we can do to
9 promote conservation, apply improved science,
10 enhance cooperation, and focus on the most important
11 thing, which is outcomes.

12 Outcomes do not occur in federal
13 bureaucracies. They don't originate in the minds of
14 federal bureaucrats. They occur when a landowner
15 cares enough about the land to invest personally in
16 making the outcome better, removing an obstacle,
17 curing an ill, or making the system function as
18 it should function.

19 Usually that occurs when a landowner
20 contacts a water conservation district, director, or
21 a person from the watershed council, and they get
22 together and design an improvement so that the
23 outcome is better. This project is the best form of
24 Cooperative Conservation and it happens on the
25 ground.

1 There's a lot of informal discussion that
2 takes place with folks from water conservation
3 districts, from state agencies like water resources,
4 or the Oregon Department Fish and Wildlife, to start
5 the design of that project.

6 Once that project gets approval by the
7 watershed council or water conservation district
8 then it's kicked up to state agencies for
9 permitting. And usually the state agency already
10 knows that it's coming. So that process is pretty
11 easy. And it's where we can make our investment
12 from the Oregon watershed enhancement plan or Oregon
13 plan for salmon and steelhead.

14 But God help that landowner if during
15 that process the federal nexus is discovered.
16 Because that begins the process for conflict.
17 And that also begins the process for the erosion of
18 trust, the loss of focus, and the possibility of
19 jeopardy, which creates all sorts of additional
20 prerogatives that are exercised by the same kinds of
21 people that we've been talking to; watershed
22 biologists, wildlife biologists, fisheries and
23 conservation biologists, but at the federal level.

24 And those folks can't seem to resist the
25 impulse to add their two cents and to change the

1 direction of that project. It adds uncertainty and
2 frivolous costs and creates delays.

3 Colleagues and friends, members of the
4 panel, let's focus on the outcomes, let's find a way
5 to get a finding of no significant impacts on
6 projects that are designed in the watershed level by
7 fisheries and wildlife biologists. Get off the
8 high horse, let these projects go forward with a
9 minimum of exercise of prerogatives at the federal
10 level. That's the path of Cooperative Conservation.
11 Thank you for listening.

12 MR. CASE: Thank you. 26.

13 MR. MCVAY: Good morning. My name is
14 Rocky McVay, M-C, capitol V, A-Y. I'm the executive
15 director of the Association of Oregon and California
16 revested grant land counties.

17 The association of OC county's made up of
18 counties from Western and Southeastern Oregon in
19 which apply a special category of BLM managed timber
20 lands known as the Oregon and California revested
21 grant lands.

22 The OC lands are dedicated by federal
23 law. The 1937 OC Act, also known as the McNary Act
24 of 1937, come under the jurisdiction of the
25 Department of Interior and managed by BLM for

1 permanent timber production.

2 That act directs managing agencies as
3 follows: Timber therein shall be sold, cut, and
4 removed in conformity with the principles of the
5 sustained yield for the purpose of providing a
6 permanent source of timber supply, protecting water
7 sheds, regulating stream flows, and contributing
8 economic stability of local communities and
9 industries providing recreation facilities.

10 The OC Act is clearly a timber dominant
11 use act interpreted by the Ninth Circuit Court of
12 Appeals rather than multiple use act. Since the
13 passage of the O and C Act numerous laws have been
14 enacted.

15 Because most of these laws did not
16 explicitly exempt management of the OC lands for
17 coverage they may conflict with the purpose of the
18 OC Act.

19 Interestingly, the Federal Lands Policy
20 Management Act of 1976, split -- has a provision,
21 Section 701 sub B that makes it clear that
22 production is limited by the provisions of the 1937
23 O and C Act.

24 The O and C act directs 75 percent of
25 receipts from the sale of timber be distributed to

1 the 18 OC counties. Over the years the county
2 voluntarily returned one-third of their entitlement
3 to be filed back at the management of the lands.

4 These filed back funds with a present
5 value exceeding \$2 billion help pay for the
6 reforestation, road construction, and maintenance,
7 campgrounds, recreation facilities, and other
8 improvements on the lands.

9 The O and C counties participated in
10 Cooperative Conservation before it became popular
11 with hard dollars, dollars that would have come to
12 the counties.

13 Currently, 50 percent of the total shared
14 receipts paid to the counties now being paid for for
15 the rural schools in the 2000 act is set
16 to expire at the end of September, formed an
17 essential part of the counties' budgets, helped in
18 paying for health and social services, law
19 enforcement, correction programs, and many other
20 public services.

21 The Association of OC Counties would urge
22 Secretary Kempthorne to direct agencies under his
23 responsibilities, BLM, U.S. Fish and Wildlife
24 Service, to work cooperatively in the development of
25 new resource management plans for the Western Oregon

1 BLM districts as directed by the 2003 settlement
2 agreement, as well as the Northern Spotted Owl
3 recovery plans.

4 Leadership is needed to direct these two
5 agencies to coordinate, cooperate, and communicate
6 on both the recovery plan for the owl and the new R
7 and Ps so we have the best product we can.

8 MR. CASE: Thank you.

9 MS. JOHNSON: Good morning and welcome to
10 Oregon. Secretary Kempthorne, Mr. Rey, Congressman
11 Walden, and others, my name is Valerie Johnson. I'm
12 here this morning representing my father,
13 DR Johnson, and our company.

14 DR Johnson and affiliated companies are
15 five sawmills, one laminating plant, two
16 cogeneration plants, and various public -- private
17 timber and cattle holdings.

18 The company was founded just prior to my
19 birth, nearly 55 years ago, and has truly been a
20 complete family business every moment of my life.
21 My sister, my brother, and I are the second
22 generation of our family that are fully committed to
23 keeping our company operating in the five
24 communities in which they're located, both on the
25 west and east side of our state. Two of our mills

1 work as cogen plants on the west side and the
2 remainder of our operations are on the east side.

3 Gentlemen, I'm here this morning on
4 behalf of my family to agree with the expert and
5 thoughtful testimony of the fine technicians of our
6 forestry association representatives. They've done
7 an excellent job of talking to you about the
8 specifics that need done. But I'm here to try to
9 put a punctuation mark on the urgency of getting
10 them done.

11 We're strong supporters and admirers of
12 President Bush, and we believe fully that he was
13 absolutely sincere in his campaigning and since then
14 to help us untie the juggernaut that has strangled
15 this region for decades now.

16 But we know he's, unfortunately, also
17 needing to deal with a few other issues around the
18 world.

19 And, consequently, while we are great
20 admirers of Congressman Walden, Congressman Campo
21 and others who have worked hard to do things to
22 improve the health of our forest and improve the way
23 the Endangered Species Act works, it is to the
24 agencies themselves in the administration that can
25 get the job done.

1 I'm here speaking for my brother and my
2 sister, as well as my parents urging you to move
3 more quickly, go deeper into your organizations,
4 push them harder, make them use some common sense,
5 help them find ways to get things done now.

6 Because, as you know, our national
7 resources are perishable products and will not
8 withstand five years after a fire and have any value
9 left.

10 Please, with urgency, make the
11 improvements that you're being told about this
12 morning and don't let another season go by where the
13 situation gets worse. Thank you.

14 MR. CASE: Thank you. 28.

15 MR. VAN SLYKE: Secretary, gentlemen,
16 thank you very much for being here. My name is
17 Dan Van Slyke, that's V-A-N-S-L-Y-K-E. I'm county
18 commissioner for Douglas County.

19 I've got a really simple sort of
20 straightforward message. One is that over 50
21 percent of our total revenue coming into the county
22 is derived from the safety net. So all these
23 issues, forest management issues, are extremely
24 important in Douglas County. Cattle, one-half of
25 our total revenue is derived from this source. So

1 it's a paramount concern to us.

2 I want to share very quickly about a
3 Cooperative Conservation agreement we have with BLM
4 that's been very, very helpful in our area. We had
5 a substantial fire south of where I live. And in
6 the rehab effort an environmental extremist group
7 that actually filed an appeal, when we as a county
8 stepped up as a cooperating agency member and helped
9 beat back that appeal, we actually stepped in and
10 made it known that we stepped in financially and
11 cooperating with the BLM against the appeal process.

12 And they went through their appeal.
13 There was real substance in that cooperation of us
14 stepping forward with the agency and agencies
15 working together.

16 We had some real struggles with the
17 Forest Service in our area. They had a major
18 project that was going to take out 80 miles of road,
19 decommission a huge area up the North Umpqua
20 drainage.

21 It was significant because, especially
22 for fire suppression, had no real means to really
23 communicate well with them. We went back to this
24 cooperative agency agreement we had formalized with
25 the BLM and moved forward and actually implemented

1 that with the Forest Service.

2 So on behalf of Douglas County, I know
3 you've got a lot of folks coming up here saying, not
4 a lot of things work, need to do more, but there are
5 some things that really do work. And cooperating
6 with another, we have seen it really work on the
7 ground in Douglas County.

8 So, again, thank you very much for being
9 here today.

10 MR. CASE: Thank you. 29.

11 MR. PLATT: Good morning, Secretary
12 Kempthorne, Congressman Walden, Undersecretary Rey.
13 Ernie Platt, P-L-A-T-T, here representing the Oregon
14 Homebuilders Association and the National
15 Association of Homebuilders.

16 In any conversation about Cooperative
17 Conservation, really needs to begin with the
18 compliance requirements that all of us are dealing
19 with, both federal and state. And in particular,
20 those associated with the Endangered Species Act.

21 Homeowner industry operates under quite a
22 complex set of federal and state regulatory
23 requirements. And any opportunity this
24 administration has to leverage the tremendous
25 resources of our home building counterparts it's

1 going to be through Cooperative Conservation in the
2 context of the existing regulations that we as home
3 builders and developers and other private property
4 owners must abide by.

5 Unfortunately, these -- this framework of
6 requirements is very awkward, down right
7 rudimentary. And the regulations themselves are
8 oftentimes largest impediments to any kind of
9 Cooperative Conservation.

10 The history of these statutes -- in the
11 history of these statutes, been little, if any,
12 active effort to encourage landowner cooperation,
13 thus proactive steps are needed both in the
14 environmental quality area, species and habitat
15 designations are often at odds with other regulatory
16 requirements.

17 Enhancing Cooperative Conservation is
18 going to require that we address these archaic,
19 outdated, ineffective, and inefficient regulations.
20 Indeed, a strong commitment needs to be made to
21 remove some of these areas and the conflicts that
22 they have with other agencies.

23 The particular areas, and I won't go into
24 great detail, the written testimony covers these,
25 it's in the Endangered Species Act areas where we

1 have undefined terms with respect to adverse
2 modification jeopardy, and in the habitat
3 designation process.

4 And quite frankly, in that area, as you
5 all know, Congressman Walden introduced legislation
6 through the House, it's in the Senate
7 now and would go a long way to addressing that
8 particular issue.

9 The other two are under the Clean Water
10 Act Administration, storm water management, and
11 weapons management. So I'll leave the particulars
12 of that to the testimony, the printed part of the
13 testimony.

14 Thanks for the opportunity to be here
15 today. Thank you very much.

16 MR. CASE: Thank you.

17 MR. MORGAN: Thanks for coming to our
18 listening session in our area today. It's M-O-R-G-A-N.

19 We're here today to testify about the
20 impact the ESA and NEPA process has on federal land
21 management or forest hill management of our forest
22 and national grass lands.

23 For an example, you heard this morning on
24 the Hedge Hog fire, which is about 35 miles east of
25 here. That fire burned 18,500 acres. 15,000 of

1 that acreage was in the wilderness area, so that
2 left 3,500 acres that couldn't be managed.

3 And the federal land managers repaired
4 and put up a timber sale to harvest approximately
5 600 acres of that 3,500 acres, which did sell, was
6 appealed by the -- which was appealed. And with the
7 delays and everything a total of 47 trees was
8 harvested on 18,500 acre property.

9 This is the kind of impact that we have.
10 And you can see it going on today when you see the
11 smoke in the area. It's not about global warming.
12 It's about being overstocked, it's about being
13 diseased, insect infestation.

14 They have ignition and they burned. And
15 it's not only in the wilderness areas when it comes
16 out very strong, and sometimes to the community's detriment when
17 it comes out of the wilderness areas. Much of the
18 resources are being lost and being wasted.

19 These are the kinds of things that has
20 social economic impact to the local communities.
21 And so with the process of NEPA we need to be able
22 to take the federal management away from the federal
23 judges and the court system and put it back into
24 educated with science that is peer reviewed and be
25 able to manage the forests in a way that would help

1 education, control catastrophic wild fires and give
2 us a social boost to -- and economic boost to the
3 communities. Thank you.

4 MR. CASE: Thank you. Next, 31. If 31
5 through 35 or next person in line, go ahead and come
6 on up.

7 MS. BROWNE: Thank you for taking your
8 time to be here today. My name is Peggy Browne,
9 that's B-R-O-W-N-E. And I'm here from Baker County
10 where I represent Baker County Farm Bureau. And I
11 just want to quickly give you an outline of what's
12 not working in one specific case that I think holds
13 true for everywhere.

14 And that is, not so long ago we underwent
15 a habitat designation. And in one drainage of our
16 watershed bull trout was listed as -- that drainage
17 was listed for bull trout critical habitat because
18 somewhere a fish biologist wrote trout down -- bull
19 trout, question mark. And that's all it took.

20 Now we're facing the consequences of
21 that. We recently had a landowner
22 trying to do an equip project, the project went
23 through, it was funded, they had pipe on the ground,
24 they had an excavator there ready to start digging
25 on the existing pipeline. Somebody said, Oh, wait,

1 bull trout critical habitat, project done, not going
2 anymore.

3 There's more and more instances of this.
4 This is just one specific case I had time to tell
5 you about today. And details are in my testimony
6 that I've submitted.

7 This is obviously one point where there
8 was not enough trust, there was not enough
9 partnership. Because, you know, in the national
10 resource and agricultural world a partnership is
11 kind of a 50/50, normally, deal.

12 And a lot of times -- in fact, a
13 landowner told me just yesterday, he says, "Well, it
14 sounds like an instance where there's 98 percent
15 dictatorship, 2 percent partnership." And that
16 doesn't work.

17 So I'd like to end today by again
18 thanking you for your time, letting you know that we
19 do appreciate some of the programs that come to us,
20 the opportunities that we have to participate in
21 them.

22 And specifically, our watershed is
23 anxiously awaiting the conservation
24 program in the hopes that it will bring extra added
25 dollars to our producers. Thank you.

1 MR. CASE: Thank you. Your number so I
2 know where we are?

3 MR. HORSLEY: 32.

4 MR. CASE: Great, thank you.

5 MR. HORSLEY: Good morning. I'm
6 Luther Horsley, H-O-R-S-L-E-Y. I'm a Klamath Basin
7 farmer, and I'm vice president of Klamath Water
8 Users Association, and president of Klamath Drainage
9 District, and I'm a director on the Northwest Farm
10 Services Board.

11 Thank you for traveling to our area to
12 listen to my concerns. The theme of your listening
13 sessions is conservation. And as a farmer I think
14 that I'm where the rubber meets the road on
15 conservation.

16 The last thing I want to see is anything
17 degrading the quality of my farm or my environment.
18 I don't want to buy fertilizer to see it dumped in the
19 river. That's the last thing I want to see.

20 I think it's extremely important for you
21 folks in Washington, D.C. to be aware of the effect
22 that the rules -- excuse me, be aware of the effect
23 that the lack of continuity between government
24 agencies and courts has on us who have to live under
25 the rules and regulations that you create.

1 A scenario has been created, and that has
2 resulted in full employment for lawyers and
3 consultants and lobbyists and everything that are
4 nonproductive for us on the farm.

5 Since the sucker fish are listed as a
6 native Klamath drainage system has spent 48 percent,
7 nearly half of our annual acreage assessments that
8 we assess our landowners on lawyer fees with no
9 tangible results.

10 Had we been able to apply those funds
11 toward infrastructure improvements and things of
12 that nature we could have gone a long ways to
13 resolving water problems and improving water quality
14 and making more water available to downstream uses.

15 These kind of expenditures are
16 cost-effective for us in the district, but we
17 cannot -- we can't sustain this if we have to spend
18 half of our assessments on projects with few results.

19 The best thing I think for preserving
20 open spaces and conserving habitat for wildlife is
21 that we keep it farming. Because if I'm profitable I
22 can invest in technology that improves environment.
23 If I'm not I'm going to have to sell out to
24 developers. And any conversion of ag lands away
25 from agriculture uses more water than they do in ag.

1 There are positive things happening in
2 the Klamath Basin. In my tenure I've seen the
3 environment improved greatly. And a lot of it has
4 came about because of cost share programs that you
5 folks put out. Thank you very much.

6 MR. CASE: Thank you. 33.

7 MR. KANDRA: It's fortuitous that I got
8 the same number as my age. That's my first lie.
9 Welcome to God's country, Secretary Kempthorne.
10 It's always good to see you, Congressman Walden.

11 My name is Steve Kandra, K-A-N-D --
12 K-A-N-D-R-A. I'm a farmer, I'm the president of
13 Klamath Water Users Association. I'm an unrepentant
14 Klamath project irrigator.

15 100 percent of the water that was applied
16 to my farm is recovered or recycled water. And I
17 assure you that all of the acres that I farm are
18 wildlife habitat.

19 I'd like to visit with you about the
20 Klamath water users from the irrigation communities,
21 the desire and need and support for what we call
22 cooperative ecosystem restorations.

23 We believe that habitat restorations that
24 have identified benefits are essential to the
25 resolution of Klamath Basin resource conflicts. The

1 Klamath water users in 1993 developed an ecosystem
2 for restoration.

3 Klamath water users and irrigators were
4 advocates for Senator Mark Hatfield's Oregon
5 Resources Conservation Act, which created the upper
6 Klamath Basin protection area which has a focus on
7 cooperative and voluntary resource restoration. And
8 I was a charter member of that.

9 The farmers also are strong advocates for
10 creation of the Klamath consistent restoration
11 office, which was to implement some of the
12 components of that act.

13 I was also a charter member of the
14 Klamath Basin Ecosystem Foundation when we
15 discovered that we had a need for tribe
16 participation and facilitation of restoration.

17 And in 2001 Klamath water users published
18 a sucker recovery plan. All this to show you that
19 no good deed goes unpunished. In 2001 we all knew
20 what happened with the Klamath project.

21 I'd like to talk to you just a little bit
22 about the working relationships that we have with
23 federal and state agencies, many whose staffs are
24 here for an update. We'd like to commend the
25 administration folks from the Department of Interior

1 and NOAA. And we also applaud the support for the
2 cooperative memorandum, the secretary,
3 before your time, secretary of interior, governor's
4 work in California got together and dedicated their
5 resources to work together to resolve issues in the
6 Klamath Basin.

7 Now that I've given you some accolades,
8 we also have some needs and concerns.

9 MR. CASE: Just a couple seconds.

10 MR. KANDRA: Just a couple sections?

11 MR. CASE: Seconds.

12 MR. KANDRA: I'm going to get right down
13 to it. Agencies that are a product need to be what
14 I call war product oriented, and not become
15 institutions of process. The institutions of
16 progress come to restorations, and I'd like to make
17 one little --

18 MR. CASE: Two seconds.

19 MR. KANDRA: We're working with the
20 tribes and we're working with the fishermen. Need
21 to understand that, but that's a good relationship.
22 Thank you.

23 MR. CASE: Thank you. 34.

24 MR. BYRNE: 34. My name is
25 Michael Byrne, B-Y-R-N-E. I'm president of the

1 Public Lands Council which represents 13 western
2 states public land graders. I'm also a committee
3 member for the Klamath Water User Association, I'm
4 president of the Resource Conservation District on
5 the California side of the Klamath Basin.

6 I would like to bring my broad
7 perspective to you. But first I'd like to welcome
8 Secretary Kempthorne, Undersecretary Rey,
9 Congressman Walden, Mr. Limbaugh, and the other
10 members of the panel. Thank you for coming to
11 listen to our concerns.

12 I worked for a long time in the natural
13 resource area, testified in front of the Senate
14 Natural Energy and Natural Resources Committee, the
15 House Agriculture and Resources Committee
16 for many times on these issues.

17 What we're trying to do is to find
18 multiple agencies to implement multiple
19 environmental laws through the Congress, while at
20 the same time putting on the ground progress at
21 work. This is not an easy task.

22 In the Klamath Basin we are an
23 agency-rich environment, and we have learned that we
24 have to cooperate with agencies to make progress.
25 The natural resource conservation service is funded

1 to come in and put conservation measures on the
2 land, and we're making progress. It is slow but
3 it's measurable, and we're working hard.

4 In other states we have the wolf issue,
5 the prairie dogs, the sage grouse. What we found is
6 when the species is listed all forward progress
7 seems to halt. As with the sage grouse, we're
8 making very good progress, we're working hard to
9 keep them off the list through great incentives.

10 Maybe we should put that in the listing
11 process, that when it's reviewed after the five
12 years and comes off the list you have to have
13 incentive to keep the species healthy or it will go
14 back on the list.

15 As far as safe harbor, we want to do good
16 things, but we don't want to be penalized. As
17 Steve Kandra says and quoting Steve Thompson, no
18 good deed goes unpunished. If you create habitat
19 and the species come then you're regulated and can't
20 continue. Why is it that there is a fish and
21 wildlife service policy or regulation for safe
22 harbor and there's none for commerce? They're under
23 the same federal law. We think it should be more
24 consistent.

25 In conclusion, I know that I hit on a lot

1 of topics, but we need affordable energy and storage
2 in the Klamath Basin to keep -- to make progress, to
3 fulfill the needs.

4 We work hard with fishermen, with
5 refuges, with the agencies, with the
6 environmentists. We're sort of in the middle of a
7 very important process and with administration to
8 help them and help the local agency people like
9 Steve Thompson, hope to make progress. Thank you.

10 MR. CASE: Thank you. Next. 35.

11 MR. TANAKA: My name is John Tanaka,
12 that's T-A-N-A-K-A. I'm the chair of the John Day
13 Snake Resource Advisory Council, packet charter
14 citizen advisory group, two BLM districts, and four
15 national forests. Which I say Oregon and Washington
16 is the only place that occurs. And I encourage you
17 to do that in other states and regions in the
18 country, as well.

19 Also president of the Society of Grange
20 Management, which is mostly the reason I'm here.
21 The society has long pursued the same goals that
22 have been outlined for Cooperative Conservation. We
23 have -- since our founding in 1948 we've encouraged
24 range landowners and users to collaborate to find
25 solutions to problems and issues through education,

1 facilitating, and training.

2 We believe that there's -- for
3 Cooperative Conservation to be successful in our
4 nation that certain knowledge and skills must be
5 used. First and foremost of those are understanding
6 the natural resources by all parties involved. And
7 do believe that employees of federal agencies need
8 to be trained and educated, experienced, as well in
9 the discipline for which they're managing.

10 We believe that tools for range land
11 assessment, monitoring and management need to be
12 developed and fully implemented throughout our
13 nation so we have a common base of understanding.

14 We believe that knowledge of range sign
15 users, their needs and capability is critical to
16 constructive collaboration. SRM has been involved in
17 a program called Coordinated Resource Management for
18 many years that bring together different parties to
19 look at inclusive decision-making that transcends
20 institutional boundaries.

21 In conclusion, what I'd like to say is
22 SRM is eager to assist the agencies in whatever way
23 to ensure that Cooperative Conservation is truly
24 implemented and successful in the future. Thank
25 you.

1 MR. CASE: We're going to take a quick
2 break, but we have two things before we break. One
3 is I'd like to give my sincere apologies again for
4 interrupting you. I was taught it was rude to
5 interrupt people and little did I know it would be
6 my job.

7 And, secondly, Secretary Kempthorne, come
8 up.

9 MR. KEMPTHORNE: I'll be departing
10 Redmond here in just a few minutes. Flight
11 schedules, and I'm on the way to Wyoming. As I
12 indicated, from there I will go to Alaska where we
13 will have a listening session and these will
14 continue.

15 One of the things that we take away from
16 this are impressions. I appreciate greatly the
17 atmosphere by which citizens have come up here and
18 have given us their thoughts.

19 We get impressions. I hear about third
20 and fourth generation Oregonians. I hear about
21 ranchers and farmers. And I hear about those who
22 love the outdoors and fishing opportunities and
23 whether or not they feel that the quality of fishing
24 is the same today as it was five years ago.

25 Mark Rey was in Columbus, Ohio last night

1 at the listening session. We call them listening
2 sessions. They're also learning sessions. And I
3 know for all of those that I have a great pleasure
4 working with them. I've been on the job now for
5 about three months.

6 When the President asked me to sit down
7 with him, at the end of conversation he said, "I'd
8 like you to take this job, yes or no?" He said, "I
9 want you to reach out. I want you to help build
10 bridges and to help us in the area of the
11 environment to diminish the polarization which can
12 so easily take place."

13 This has been an atmosphere where you
14 have allowed us to continue an impression. Can you
15 imagine when you add it all together, when you just
16 do some of the numbers, and I would imagine there's
17 going to be a few thousand people that at the end of
18 this whole process that we're going to be able to
19 have heard their comments or seen their comments,
20 and from all regions of the country. Some regions
21 that don't know what it is to be in this part of the
22 country.

23 Going to Wyoming, we will see ranchers
24 and farmers, but will also see production fields.
25 We'll talk about that aspect of it. Because as

1 Michael said, energy is something that's important.

2 But you begin to collect it all together.

3 And it allows us with these professionals, Steve
4 sitting in the front row there. But these are the
5 types of professionals, and you acknowledge them,
6 you reference them, Bob, Mark. These are folks that
7 in many, many instances come from the different
8 walks of life which you have identified.

9 Now, we could also make a decision that
10 this is just not worth the effort, not come. Now
11 that we've been asked to hold down jobs in
12 Washington, D.C. you get real busy in Washington,
13 D.C. And you can stay in Washington, D.C. and you
14 can ask certain people, maybe two or three that
15 might be among the few hundred that are here today,
16 if they would travel to D.C. and if they would sit
17 and make comments.

18 But I think it is been proven today and
19 it's well worth of the effort. Is it perfect?
20 Course not. But it's a good process.

21 I remember when I was mayor of Boise.
22 One of the public hearings, it was a room this size
23 filled with people. And at the beginning of it
24 there were signs that said, "We love our mayor." At
25 the end of the night when the decisions and the

1 final votes didn't go the way that many of those
2 carrying the signs felt it should have gone, these
3 signs were torn up and tossed on the floor. That
4 was a pretty good reality check.

5 While they didn't care for the decision,
6 I will tell you that a number of them came up and
7 said, We have to thank you for the process. We had
8 our opportunity to say. So that's all we can do.

9 In some 27 months I'll be doing something
10 different. Until then I intend to make a difference
11 on behalf of those which are serving, which is you,
12 in all 50 states and territories. And I just don't
13 think there's a more worthwhile effort than to once
14 in awhile drop in and just say, Would you make some
15 comments, would you give us some idea. It's a
16 snapshot, but some idea of what's going in your
17 region of the country.

18 Because our decisions in Washington, D.C.
19 will have ramifications in all regions of the
20 country. And there are trade-offs. So be able to
21 come like this to a place like Redmond, Oregon, and
22 to hear a diverse group of comments from some very,
23 very busy people, talented, dedicated people that
24 have a passion for what you do helps us.

25 And one thing it does is energize us,

1 that we truly are in this together. That I think
2 because of today's effort the final outcome, and I
3 don't know what the final outcome will be, will be a
4 little stronger, a little better because you had the
5 opportunity to give us your best thoughts. A lot of
6 notes. Colleen has a lot of stenography material.

7 So I wanted to thank you before I left so
8 you didn't come back number 37, number 38 and say,
9 where is the guy. We do have, I think it's five
10 flights today. Unfortunately, I've got to grab the
11 next one.

12 So thank you all for what you're doing.
13 Let me thank my colleagues for what they're doing
14 today and your efforts here, as well.

15 MR. CASE: We are going to continue.
16 We'll take 15 minutes.

17 MR. KEMPTHORNE: Yes. You'll take a
18 15-minute break and then we will continue. But
19 Congressman, again, I want to thank you for all that
20 you're doing and it's a pleasure to work with you,
21 it's a pleasure to be in this district and see the
22 good folks that you work on their behalf.

23 MR. WALDEN: Mr. Secretary, on behalf of
24 not only the residents of the great second
25 congressional district but the state of Oregon and

1 those other surrounding states that have joined us
2 today, thank you for taking the time to be here. We
3 recognize your busy schedule. And to have the
4 Secretary of Interior for a couple of hours to
5 listen to us is really something we all appreciate.
6 Thank you.

7 And since my remarks are going to be more
8 than two minutes I'll send them to you in writing.
9 We'll work together to improve more and more the
10 health and water resource issues. We've got a lot
11 of work to do. And I look forward to continue
12 working with you and your colleagues here on the
13 dais.

14 I think we're going to break now for 15
15 minutes, and then we'll remain to listen further to
16 your comments and suggestions. Thank you very much.

17 (Recess was taken 11:05 to 11:16.)
18
19

20 MR. CASE: Okay. We're going to start
21 with two people that are going to come up for
22 comments that were not on our original list. First
23 is Captain Brigham from the board of trustees from
24 the Umatilla Indian Reservation.

25 MS. BRIGHAM: Thank you. First of all, I

1 just want to talk to you about the Umatilla tribe. When we
2 were at the Cooperative

3 Conservation conference we did make a presentation
4 on the Walla Walla Basin.

5 And what we've down in this approach is,
6 one, we've reached out to the comanagers and people
7 affected by -- in the basin area.

8 Two, we've stayed on our goal. And with
9 both rivers, Walla Walla and Umatilla River, we had
10 no fish, we had no water. And for the Walla Walla
11 it was a hundred years, for the Umatilla it was 75
12 years.

13 We told them our goal was to get salmon
14 back into these systems. They were shocked, but we
15 were up front.

16 We also recognize that this goal is going
17 to take time. It's not going to happen overnight.
18 It's going to be gradual and only be done with
19 their support.

20 We were going to seek agreement on
21 many of the issues that we could have on the issues.
22 And we also know that they're not always going to
23 agree. That's an important part of it. I mean,
24 sometimes we always -- where can we agree. We all
25 know we disagree, but what can we agree upon.

1 We can develop a plan, a plan that was
2 linked to our goals, to the tribal goals, to the
3 comanagers' goals, to the farmers' goals. So this
4 plan was a plan we could all support.

5 Then we worked to get the continued
6 funding. And continued funding is very important.
7 It's making progress, but we all have plans that are
8 up on the shelves that are just sitting there and
9 not being implemented. So we have to have a plan
10 being implemented.

11 So that's part of the response to some of
12 your questions we have. And also think it's very
13 important to be responsible, accountable, honest,
14 and you share your successes, not hide them. We
15 don't see enough of the successes.

16 The Cooperative Conservation conference
17 did bring a number of successes to the nation,
18 across the nation, but we need to see more locally,
19 as well. Thank you.

20 MR. CASE: Thank you. And second,
21 Alan Foreman, the chairman of the Upper Klamath
22 tribe.

23 MR. FOREMAN: Gentlemen, I appreciate the
24 fact that you're taking this time to be able to be
25 out here today. My name is Alan Foreman, I'm the

1 chairman of the Klamath tribes.

2 And Congressman Walden, I appreciate your
3 efforts. And Secretary Thompson over here. Anyway,
4 Mark Rey. I met most of you folks at one time or
5 another.

6 I think one thing that all of you should
7 and do recognize is the fact that the United States
8 government has a special fiduciary responsibility to
9 tribes. And based on that, we in the Klamath and
10 other tribes have seen their fair share of natural
11 resources decline as much as 70 and 80 and 90
12 percent in a lot of the cases.

13 In our case, 1918 on the Klamath River, we had
14 salmon in our neighborhood. And that
15 was abundant fishery for us. We have lost that when
16 the dams went in.

17 And we've also had a couple of other
18 species on the endangered list. Our deer herds are
19 down 90 percent from what they were. All of our
20 resources are down.

21 The point I want to leave you with here
22 today, the point I want to make very strongly, we
23 have an opportunity cooperatively to work together,
24 to turn that trend around. And that opportunity is
25 within -- on the Klamath River.

1 We are working with the agricultural
2 community very closely, we're working with all the
3 stakeholders down river. There's three other tribes
4 that we're working with. And we're also working
5 with the state and Oregon, California, and the very
6 good leadership of the federal team that's involved
7 here.

8 There is a tremendous opportunity to have
9 those dams removed. And I just want to make sure
10 that everyone understands that if those dams are
11 removed it can begin to reverse the trend of
12 declining resources. There will be access to 350
13 miles of habitat they never had before.

14 And it will take a long time to undo what
15 has been done over the past 80 years, but there's an
16 opportunity to do it. And my message is, the
17 federal team needs to hold together and hold this
18 coalition together because we have every important
19 stakeholder up and down the river from the ocean to
20 the tribal waters that is working together in
21 unity. And you don't see that anywhere else. And I
22 really want to be able to keep this going and to
23 accomplish that. So thank you for your time.

24 MR. CASE: Thank you. Let's see. 36.

25 MR. HAMPTON: 38, but I'll go.

1 MR. CASE: 35, 36?

2 MR. HAMPTON: I'll do like they do at the
3 Oscars, I'll be a place filler. My name's
4 David Hampton. I'm a third generation family
5 business owner in the wood products industry. My
6 father probably has spoken to several of you before.
7 I'd like to thank you for the opportunity today to
8 speak on this important issue.

9 In the early 1980s our company, along
10 with other companies in the area, bid on the timber
11 sale programs in the Siuslaw National Forest on a
12 regular basis. At that time the outputs were close
13 to 375 million more feet per year. This year's
14 program is said to be 26 million board feet on the
15 Siuslaw.

16 The sales that are put forth now are all
17 so complicated and full of
18 restrictions that it is extremely difficult to even
19 operate.

20 According to the USDA, Forest Service,
21 and Pacific Northwest Research Station, the
22 mortality on federal forests west of the Cascades is
23 over 1 billion board feet per year.

24 Due to the ESA restrictions and
25 constraints with the NEPA restrictions these once

1 healthy forests cannot even recover their mortality
2 from the timber sale program. Thinnings do not
3 create openings needed for early successional
4 habitat that big game animals require in order to be
5 healthy.

6 In 1993 my father attended the Oregon
7 Forest Summit in which he gave an impassioned plea
8 to repair a crippled federal timber sale program.
9 The program that is now in place has resulted in no
10 closures and lost revenues in millions to the area.

11 Our company has had to retool and
12 downsize to accommodate a smaller and smaller log
13 that's as far as away as 200 miles.

14 In the time of state and federal budget
15 shortfalls these programs just don't make sense.
16 The President has made a personal commitment to the
17 implementing the Northwest Forest Plan.

18 In August 2002 he stated, and I quote,
19 The Northwest Forest Plan calls for harvesting of
20 about 1 billion board feet per year. It will
21 strengthen our communities, it will help rural
22 America, and it will help our home builders. It
23 makes sense. It was a promise made to the people of
24 the Northwest. It's a promise I intend to work with
25 federal governments to keep, end quotes.

1 The actual timber sale accomplishments
2 has been less than 40 percent of that total volume
3 promised. With 90 percent of all endangered species
4 on private lands there must be an opportunity for
5 cooperative incentive-based solutions to recover
6 species.

7 We must do a better job of recovering
8 species without endangering jobs and livelihoods of
9 American families. Reform of NEPA and ESA is needed
10 immediately to prevent further stress on Oregon's
11 rural habitats. Thank you.

12 MR. CASE: Thank you. 37.

13 MR. KLUPENGER: Good morning,
14 Undersecretary Ray, Congressman Walden, members of
15 the distinguished panel. My name is
16 Kevin Klupenger, that's K-L-U-P-E-N-G-E-R.

17 I represent the Evergreen Nursery located in
18 Oregon's Willamette valley. We grow in-ground and
19 trees and shrubs. I also have the
20 pleasure to serve as a chair of the Government
21 Relations Committee, a 1,500 member Oregon
22 association nursery that represents Oregon's nursery
23 and greenhouse industry. State's largest
24 agricultural sector with annual sales in excess of
25 over 1 billion.

1 I wish to thank you for coming to Oregon.
2 This part of the country has seen natural resources
3 compromised by junk science and political agendas.

4 Frankly, there's always been a link
5 between Endangered Species Act, conservation, the
6 natural resource industry. Cannot turn back the
7 clock, but we all must work together in creating
8 common sense policy.

9 Specifically, I support Congressman
10 Pombo's and Congressman Walden's HR3824, the
11 Threatened and Endangered Species Recovery Act. It
12 embraces the science-based peer review, it places a
13 priority for recovery rates for listed species, and
14 codifies fairness and effectiveness for areas that
15 are impacted. Agriculture bases its operations on
16 generations of plant. The ESA and conservation
17 policy should do the same.

18 We all should be for greater
19 accountability and see a strong collaboration
20 between the states and federal government.
21 A transparent and fair process, one based on
22 conservation, not preservation, should be the basis
23 of our national environmental policies.

24 Thank you for listening to my testimony.
25 I provided you copies of more extensive written

1 testimonies on behalf of the Oregon Association.
2 Appreciate it.

3 MR. CASE: Thank you. 38.

4 MR. SHIVELY: Thank you Congressman
5 Walden, Undersecretary Rey. My name is
6 Paul Shively, I'm a Northwest representative for the
7 Sierra Club. And I would like to thank you for
8 holding these sessions.

9 Before I make my quick simple point I
10 also wanted to thank you, Congressman Walden, for
11 another sort of collaboration that we don't see
12 enough of in Washington, D.C. these days. And that
13 is your work with Congressman Blumenaur and the
14 Mount Hood wilderness support bill.

15 You should be applauded for crossing the
16 line. And Congressman Blumenauer, as well, in
17 working together for something all Oregonians want.

18 Whether it's a project on the
19 heart of the mountain and national antelope refuge
20 or weed pulling and cleaning up of camp sites down
21 the Salmon River, the Sierra Club has been proud
22 working with many fine people in the -- our agencies
23 that protect our land and water and air quality over
24 the years.

25 We work with military bases on ESA

1 issues, so on and so forth. And we want to continue
2 to do that. We think the collaboration is a very
3 big part of getting to a good and healthy
4 conservation in this country.

5 But Cooperative Conservation doesn't mean
6 replacing the existing laws and regulations that are
7 in effect right now and that work. And, in fact, we
8 feel that the ESA is one of the great success
9 stories that we have seen in America.

10 And so while you move forward with these
11 sessions we hope that you look at this as not a
12 replacement for what happens but as a way to
13 supplement and compliment the great laws that
14 already exist.

15 Now, those laws and regulations don't do
16 any good unless they're funded. So we hope that
17 there is also some funding so the enforcement of the
18 laws and regulations actually can take place, so
19 that cooperative programs can happen in the manner
20 that they need to happen, to actually get to where
21 we want to be, and that is to work with each other
22 on conservation issues.

23 Finally, you have a great opportunity to
24 do some cooperative work with tribes, with the
25 state, and with the other conservation groups in the

1 area, and get to a biological opinion on the
2 Columbia salmon that doesn't go back to the courts
3 and be deemed illegal.

4 So let's all work together, let's save
5 the fish, let's do what's right for Oregonians and
6 with the nation.

7 MR. CASE: Thank you. 39.

8 MR. MALUSKI: Hi there. My name is
9 Ivan Maluski, M-A-L-U-S-K-I. I also work
10 with the Sierra Club here in Oregon. Just on a
11 note, I own a small farm out near Molalla.

12 And came out here today in order to
13 testify. It's unfortunate Senator Kempthorne
14 couldn't be here. Congressman Walden and the
15 rest of the panel, thanks for taking the time today.

16 I do want to make a point and observation
17 earlier today that there was a lot of time given to
18 the Klamath Water Uses Associations to testify,
19 certainly independent public listening session. I
20 think on this issue it would have been nice the
21 Klamath tribes, for example, had a chance to speak
22 at that time, as well, and simply allow the Water
23 Users Association to present like the rest of the
24 public. We all came out today.
25 Takes a lot of time to get involved in this stuff.

1 I basically want to make a few points in
2 this limited time. We do think that you need to
3 protect and strengthen the Endangered Species Act.
4 Funding is a huge issue.

5 Of particular concern, there's a lot of
6 species out there that have been identified that are
7 warranted for listing and protection under the
8 Endangered Species Act, but they're precluded due to
9 lack of funding.

10 Without funding, we get some of the
11 species listed and beginning to actually develop
12 recovery plans to move the Congress's intent to
13 recover endangered species, persuading, landowners to
14 make it sensible, developing critical habitat and
15 whatnot.

16 On the issue of fires on federal
17 lands, Congressman Walden, particular I'd like to
18 make this point to you and Undersecretary Rey,
19 there's a lot of work that could be done out there,
20 sure. We really need to focus the priority on where
21 it makes the most sense.

22 I think getting distracted and what
23 appears to be sometimes politically motivated
24 post-fire wilderness areas or late
25 success reserves, or fuel reducing projects that

1 are way out there, don't make a lot of sense when
2 the real needs are really close to the community,
3 such as Sisters or Prineville, or name your
4 community out there.

5 There's a lot of acres out there that are
6 close to communities and get a lot of support for
7 working on before you do the controversial stuff.

8 I want to call attention to plans in the
9 Department of Interior to speed up old growth
10 logging to the Western Oregon Planning Division and
11 BLM. We're very concerned about that. I think that
12 by increasing old growth logging in Western Cascades
13 would put a lot of additional pressure on private
14 landowners who have to bear the burden of endangered
15 species recovery.

16 So the current incentives don't pay them to
17 participate in Cooperative Conservation. Cooperation can provide
18 end results. We should not do away with existing
19 framework of laws such as National Environmental
20 Policy Act, ESA. Thanks for your time today.

21 MR. CASE: Thank you. 40.

22 MS. MARX: Congressman Walden,
23 Undersecretary Rey, and to each member of the panel,
24 thank you for coming to Oregon. My name is
25 Carol Marx, M-A-R-X. I'm a grass seed farmer

1 from Riverdale, Oregon, and Oregon Agriculture.

2 As a life-long Oregonian and farmer for
3 the last 34 years I can say nothing has impacted my
4 state, community, and our family farm life as the
5 Endangered Species Act.

6 The perception that ESA is functioning
7 just fine is carried by those who don't live under
8 it and do not see the devastating effects
9 in complying with this overreaching law.

10 Thank you for recognizing that after
11 30-plus years there's room for improvement in the
12 implementation of the ESA and to accomplish
13 conservation. The time is now to find a better way.

14 All decisions are only as good as the
15 information you base them on. Data that is the
16 basis for ESA listing positions, critical habitat
17 designations, and regulations must be the result of
18 rigorous signs and full consideration
19 must be given to the expertise of those on the land,
20 in the communities and the states impacted by these
21 decisions.

22 The men and women who live on the land
23 make their living in partnership with nature are the
24 best stewards of this nation's resources.
25 Generations of farmers, ranchers, and foresters have

1 continually looked into the future and tended the
2 land of hard work and thoughtful planning.

3 As you proceed with implementation of
4 Cooperative Conservation initiatives please remember
5 long-term, successful conservation is dependent on
6 the vitality and success of natural resource
7 industries. Thank you for your time.

8 MR. CASE: Thank you. 41.

9 MR. MAST: James Mast standing in for
10 Commissioner Kittleman, Douglas County Commissioner.
11 I thank you for coming to Oregon. I'm a rancher, a
12 logger, I have a tree farm, founding member of the
13 Elk Creek Watershed Council, and a member of the
14 board of directors for the Oregon Family Farm
15 Association.

16 I was encouraged to see that Band Aid on
17 the Secretary's thumb. You know, the rumor out here
18 in Oregon is that there's, especially with the
19 bureaucrats, they don't have any blood in their
20 veins over there. And same thing you hear over
21 there, there's no trees in Oregon. I'm sure when
22 you came here you've seen we have lots of trees.

23 The regulatory process, you know, I took
24 some notes here from previous speakers. But it
25 really impacted our area. We used to have a lot of

1 logging in our area and we now have zero. And
2 that's directly from the Northwest Forest Plan.

3 Same with our private property rights,
4 they've been impacted very much by regulatory means.
5 And one of the things Douglas County is looking
6 for -- trying to get is -- we're trying to build a
7 dam in North County. It's in the headwater at the
8 Elk Creek area.

9 We're looking for the Bureau of
10 Reclamation to help us out. We have been visiting
11 with them. Commissioner Kittleman's been back there
12 several times. Talked to John Kietz before he
13 retired and now the acting commissioner.

14 But we're looking for impoundment there
15 for not only for the ranchers, we're looking for
16 regulated flows with improvement of our fish
17 habitat. We have a real flat ground. Some of the
18 streams stretches go half mile to a mile long with
19 no drops, just sits there and it heats up, very
20 stagnant water. And we felt we could get some
21 improvement through more movement of the water.

22 We feel we can get improved water quality
23 on Elk Creek. And will help with the
24 wildlife, flood control, and fire control.

25 We -- in summing up, I did give a copy of

1 this whole thing to the Secretary so he'll be able
2 to see that. But I would hope that you would help
3 us.

4 Side note on the safety net funds. It
5 was brought up to the county government -- for the
6 county governments. We need to help to put the
7 court boots back on our young men in Douglas County
8 so we have the jobs they need. Thank you.

9 MR. CASE: Thank you.

10 UNDERSECRETARY REY: I'm afraid the next
11 flight is now leaving. I'm driving to the airport.
12 I'm not going to take more of your time summarizing,
13 just say as the Secretary said, this has been very
14 helpful to us, and we've got a lot of ideas that can now
15 be processed through our various programs.

16 As noted, I was in Ohio last night
17 and there are different kinds of concerns in Ohio
18 which would surprise you. But there are
19 similarities, too. Similarities that help us
20 temper some of our programs and make them more
21 responsive to folks.

22 Thank you for all of your time. Now I've
23 got to fly the rest of the afternoon and evening to
24 be back at my office at 8:30 tomorrow morning.

25 MR. CASE: Thank you. 43? 44?

1 MS. KOVASH: 43.

2 MR. CASE: Okay. Come on up.

3 MS. KOVASH: I'm Arlene Kovash, K-O,
4 V as in Victor, A-S-H. And I thank all of you for
5 coming to listen to us. I think it's really
6 important to us that you hear us firsthand.

7 I am chairman of -- we have a farm in the
8 valley, and I am chairman of the American Agriwomen
9 ESA Committee. American Agriwomen is a coalition of
10 all the farm women organizations throughout the
11 nation. And I represent around 30,000 women.

12 I'm also the American Agriwomen
13 newsletter editor and past president of Oregon Women
14 for Agriculture.

15 We do have a policy on the ESA, and I am
16 going to send that in as written comments. I do
17 want to point out one item, is that I think we all
18 need to recognize -- acknowledge extinction is a
19 natural process of evolution and that species come
20 and species go. And to try to save every last one
21 of them is quite impossible. So we really need to
22 focus on the important ones to us, not subspecies,
23 et cetera.

24 After listening to all the comments I
25 wrote specific suggestions on the questions that

1 were given to us, the discussion questions. And I'm
2 going to say, number 1, the federal government can
3 enhance a wildlife habitat by making regulations
4 sensible, consistent, understood by all of us. And
5 particularly, include working for the success of the
6 resource provider, farmers and loggers.

7 Because it has been noted 90 percent of
8 the endangered species are on our property. What
9 does that tell you? We are doing something right.
10 What are you doing? So that, I think, is an
11 important point. So you need to make this so we can
12 do it.

13 The federal government then hands
14 cooperation to the communities by including us,
15 those who have economic consequences on
16 decision-making committees and what have you.

17 Often we are excluded because people will
18 say they don't have -- we have a conflict of
19 interest. Wait a minute, this is of interest.

20 And then one of the things that I think
21 is really important to note from this is that I have
22 noticed that one of our biggest problems are
23 lawsuits. And I was just wondering if it was
24 possible for the ESA to have something like a grand
25 jury of the ESA that lawsuits can go through them

1 and then decided so that we aren't tied up with
2 lawsuits.

3 And that we do need to continue on with
4 our farming and logging operations while these suits
5 are being -- are being settled because we are ruined
6 when we can't, as in the Klamath Falls.

7 MR. CASE: Thank you. 44? 45?

8 MR. BROWN: Morning Congressman Walden,
9 panel. I'm Marvin Brown. I'm a state forester here
10 in Oregon. Actually, speaking today as the
11 president of the Society of American Foresters
12 nationally. It's an organization of 15,000 folks
13 who practice forestry across the U.S.

14 The points that -- we provided a letter
15 that answers the five questions that were asked by
16 the panel. But I wanted to emphasize what I think
17 is themed throughout the letter.

18 That is, Secretary Kempthorne talked two
19 times about conservation goals, and that's what this
20 process is all about is finding better ways to
21 achieve conservation goals.

22 One of the holes that we see in the whole
23 process is it's not a goal in the United States that
24 deals with sustainable forests.

25 These goals that very clearly identify

1 what's happened in terms of endangered species,
2 clean air, clean water. An energy bill just passed
3 that has some ramifications on forests. There's a
4 farm bill on the table that certainly has
5 ramifications for the forests.

6 But there isn't a unified, cohesive
7 national interest stated that we want sustainable
8 forests in the United States. And it represents
9 kind of a fundamental hole in the whole discussion.

10 We have a very specific concept of what
11 we think a sustainable forest resource would be in
12 the U.S. that would deliver the full range of
13 economic and environmental and social values we
14 all expect in a forest.

15 We see that those values are not always
16 delivered across ownerships and across landscapes.
17 And we see that has some pretty concerning effects
18 across the country in terms of development pressures
19 on the forests, disinvestment federal government has
20 shown, and managing public and private forests,
21 forest health issues, the burning that the people
22 referenced several times, and the condition of the
23 federal lands and state, tax loss.

24 The thing that forests needs is a
25 fundamental commitment from the federal government.

1 Sustainability is important. Thanks.

2 MR. CASE: Thank you. 46? 47?

3 MR. SEDORIS: Congressman Walden, thank
4 you very much for bringing these distinguished
5 panelists to Central Oregon. Secretary Kempthorne
6 suggested that he was asking for a snapshot of our
7 lives.

8 My daughter is a sixth generation Redmond
9 girl. And with all due respect to the Native
10 Americans in the audience, I'm sure there aren't
11 very many Oregon families that go back, at least in
12 this room, as far as we do.

13 A snapshot of our lives. We live in an
14 area called the bad lands, wilderness area. It
15 would be about the size of this room with me being
16 the 40 acres that we own in the middle of it.

17 Recently it was closed to all use except
18 walking through it. We make our living, 100 percent
19 of our living giving sled dog rides. And my
20 daughter is a sled dog racer, one of the best in the
21 world. And by closing our access to the roads, the
22 traditional roads that Rachel has trained on since
23 she was a little girl, it effectively takes away
24 our -- the way we make our living, the way we train
25 our dogs.

1 And I hope that you will take -- and we
2 own this 40 acres right in the middle of it. It's
3 not -- it shouldn't be considered as a wilderness
4 area. There's a major canal running through it,
5 there's been some roads. And, anyway, that's
6 my suggestion that you look into that, Congressman
7 Walden.

8 MR. CASE: Thank you.

9 MS. SEDORIS: Now, the intent behind
10 turning it into a wilderness area was right. The
11 idea is to protect it, and absolutely it should be
12 protected. It shouldn't have anything -- any more
13 roads built or anything.

14 But to shut down the existing roads, I
15 mean, in the 15 years that we've lived out there and
16 the thousands of miles that we've traveled we have
17 seen two walkers, two. We've seen thousands of
18 hunters and recreational four-wheelers. And out of
19 those thousands we've seen maybe a dozen actually
20 doing anything wrong.

21 And the rest of us shouldn't pay for
22 those peoples' sins. Thank you.

23 MR. CASE: Thank you. 47.

24 MR. NOONAN: My name is Mike Noonan, and
25 I represent the Oregon Meat Growers League. I'm the

1 vice president currently. And thank you guys for
2 coming to Oregon. Congressman Walden, and all of
3 you on the panel.

4 I'm going to try to get to the point
5 today in the spirit of the Cooperative Conservation
6 effort. There's a couple things the Oregon Meat
7 Growers League would like to mention.

8 Number 1, conservation security program
9 that has been implemented throughout different
10 watersheds is a very successful program to help
11 farmers and rewarding for the conservation efforts
12 that they have done, along with encourage them to
13 with cost share to increase the conservation on the
14 farm.

15 So that's one thing that we'd like to see
16 fully funded. And over time it takes a lot of money
17 to fund something like that. But we see it as a
18 start and in the right direction to help a
19 conservation on the farm.

20 Another issue that you're working on in
21 the Klamath Basin, and part of the reason why I got
22 involved in this, in fact, most the reason was in
23 2001 I was walking around the block, April 7th, just
24 got about halfway around. I was too nervous to go
25 to that water allocation.

1 I -- 50 percent, reasonable man thought
2 we'd have that allocation, right? Well, there's
3 nothing reasonable about it. We walked out with
4 zero. And instead of feeling sorry at that time, I
5 was kind of raised the way where just get on a horse
6 and you go. And that's where we're headed.

7 I'm proud to represent the Oregon Meat
8 Growers in that. But also in the spirit of
9 Cooperative Conservation I've been working with
10 Ron Cole, National Fish and Wildlife, Bureau of
11 Reclamation.

12 We have a neat thing going on in Klamath
13 that's called blocking wetlands. And it's a win/win
14 for both wildlife and farming. And simply put,
15 works as a farming tool. It also -- it works as a
16 farming tool I can use on a farm, and it also works
17 as extending wetlands out into private landowners.
18 And it really works through cooperation. And I
19 thank you for your time.

20 MR. CASE: Thank you. 48.

21 MR. NAROLSKI: 47.

22 MR. CASE: Okay.

23 MR. NAROLSKI: Congressman Walden,
24 distinguished panel members, secretary, my name is
25 Steve Narolski, N-A-R-O-L-S-K-I. I'm a forester

1 working Interfore Pacific. Interfore Pacific owns
2 three mills in the Pacific Northwest, one in Fort
3 Daniels, Washington, one in Molalla, Oregon, and one
4 about an hour south of here in Gilcrest.

5 Our Gilcrest mill operation is primarily
6 supplied by federal or publicly-owned federal timber
7 from the surrounding six national forests. In that
8 regard we look forward to cooperating with all the
9 stakeholders in opening up more of this forest land
10 for timber harvesting, applying holistic
11 forest management, and thereby restoring natural
12 processes onto this forest.

13 The two messages on behalf of the
14 forestry industry I wanted to give the panel are, we'd
15 love to see NEPA and the associated ESA streamline a
16 more time sensitive -- it shouldn't take years to
17 come up with a forest management plan or improved
18 harvest to salvage fire-burned timber. The trees
19 just deteriorate.

20 Having personally worked in Oregon, Idaho
21 underneath Secretary Kempthorne, in Washington,
22 Montana, and California, I can testify
23 professionally after 30 years that our forests
24 revolve around foresting. Because of policies
25 started in 1945, our forests

1 have oscillated well outside of their norms where we
2 started seeing these catastrophic events
3 such as the Black Crater fire and others in the
4 surrounding area.

5 While fires are natural processes, the
6 intensities of the fires have increased dramatically
7 over the last decades.

8 So the second message we want to see is
9 that the Secretary pass onto his agencies and be
10 responsible for is to please work with the other
11 stakeholders, please do your job.

12 I realize logging, while it's not a four
13 letter word, it's not very popular, people hate
14 to see stumps. But we can utilize logging right now
15 to reestablish natural processes, utilize
16 foresting and get cooler fires going on, and
17 thereby protect the forests. Thank you for your
18 time.

19 MR. CASE: Thank you. 48? 49?

20 MR. MUKUMOTO: Congressman Walden --

21 MR. CASE: 48?

22 MR. MUKUMOTO: We're together.

23 MR. CASE: All right. I thought you were
24 going to smack each other there for a minute.

25 MR. MUKUMOTO: Congressman Walden,

1 distinguished panel, thank you for listening. My
2 name is Cal Mukumoto, that's M-U-K-U-M-O-T-O, and
3 I'm project manager of the Warm Springs Forest
4 Projects.

5 And joining me is Greg McClarren, M --
6 capitol M-C, capitol C, L-A-R-R-E-N, who is
7 president of the board of the Friends of the
8 Metolius, which is a nonprofit organization
9 dedicated to the protection of the spiritual and
10 environmental values of the Metolius Basin.

11 Now, we are speaking on behalf of Central
12 Oregon Partnerships for Wildfire and Risk
13 Reduction, which we call OPWRR for short. Which is
14 coordinated by the Central Oregon Intergovernmental
15 Council. I will talk to OPWRR, Gregory will quickly
16 talk about lessons learned.

17 OPWRR was highlighted and -- was a
18 highlighted project at last year's White House
19 conference on Cooperative Conservation. The goals
20 of OPWRR project are to, one, reduce the risk of the
21 severe wild fire communities.

22 Two, restore fire indemnity policies;
23 and, three, create sustainable community jobs and
24 income. The method by which these goals would be
25 achieved was development, expansion, market,

1 commercial utilization, a small diameter of forest
2 fuels.

3 The Central Oregon Intergovernmental
4 Council assembled the OPWRR advisory committee from
5 representatives of forest products industry, tribes,
6 environmental groups, emergency management agencies,
7 public land managers, and elected officials.

8 OPWRR is selected to development of
9 sustainable levelized supply, small diameter timbers
10 and actions most needed to accomplish these project
11 objectives.

12 The Coordinated Resource Offering
13 Protocol, or as we call it CROP, is a project that
14 has undertaken to provide levelized supply. We
15 asked for and received Governor Kulongoski's
16 estimation of CROP as Oregon's solution project.

17 The stakeholder team met several times in
18 2004, and in January 2005 released a declaration of
19 cooperation each party signed statements of support
20 outlining how they would ensure that crop became
21 implemented.

22 The crop implementation plan and
23 development is three falling items. One, a database
24 of anticipated supply offerings based on actual
25 projects; two, a levelization system whereby

1 multiple U.S. forestries and BLM administrative
2 units work with any industrial landscape; three, a
3 monetary program focused on ensuring that protocols
4 is working.

5 We have created database which will be on
6 the web next month. We are working with forest
7 products companies and energy companies to help in
8 use of database. And we found and we're sharing our
9 lessons learned.

10 Our primary public agency partners,
11 national, local forest system, BLM units have built
12 an impressive NEPA approved restoration
13 project. And if additional funding were identified
14 they would be able to step up. Thank
15 you.

16 MR. CASE: He cut into your time a little
17 bit.

18 MR. MCCLARREN: That's fine. We're
19 partners, that's why two of us are up here. Lessons
20 learned. For Cooperative Conservation to work we
21 need to invest in capacity of public agencies,
22 communities, and stakeholder groups to collaborate.

23 Quite frankly, here in Oregon and
24 throughout the west where so much of the land is
25 federally managed, it falls to the federal

1 government to provide resources. Translate that as
2 money and staff with motivation and commitment to
3 do.

4 Four things we've learned. There's many.
5 But in summary, one, opportunities are provided for
6 early input and collaboration from local
7 stakeholders. Stakeholders and communities.

8 Two, communities and stakeholder groups
9 have the resources and tools to do the work. For
10 example, OPWRR got its start with a program that no
11 longer exists. That's a series of economic action
12 program grants which are no longer available. Came
13 out of, in part, the Northwest Forest Plan,
14 Northwest Summit of the early '90s.

15 Three, local public land agencies have
16 the resources and motivation to collaborate.
17 Collaboration is not always the standard modus
18 operandi of offices and staff. And sometimes the
19 extra effort and time is taken and dollars needed is
20 a penalty to those line officers who engage in such
21 effort.

22 Oftentimes, the short-term, lowest unit
23 cost measurement standard which is used by agencies
24 is not the best in the long-term benefit of the
25 land.

1 Secondly, in that part, we cannot
2 account -- use an accounting system that's geared to
3 saw timber or other types of forest products when
4 we're dealing with 8, 10, and 12 inch diameter
5 material. It's -- frankly, it's stupid. The
6 value's not there.

7 Fourth lesson learned, community
8 stakeholder groups and local public agencies must be
9 empowered to monitor project levels. In
10 other words, how well did we do, what do we need to
11 learn, how do we adapt? And oftentimes the cost of
12 that monitoring is not part of the legislative nor
13 agency mandate.

14 I'd also comment on stable funding.
15 I can't emphasize it any more strongly. It also
16 needs to be long term, longer than one year, longer
17 than three years, longer than five years.

18 It's what we have seen evolve in our
19 forests in the interior west in the last 50 years.
20 Are not going to be fixed in five or ten years.

21 MR. CASE: Thank you.

22 MR. MCCLARREN: Thank you.

23 MR. CASE: Number 50? 51? 52?

24 MS. MOORE: Hello. I'm Helen Moore, and
25 I'm the executive director of Water For Life. My

1 last name is M-O-O-R-E. Water For Life is a
2 nonprofit organization whose mission is the
3 protection of agricultural water rights in the
4 context of environmental storage shed.

5 We respectfully submit the following
6 comments today on behalf of our members:

7 Conservation, which became a policy because of
8 environmentalism was once, as the word suggests, a
9 conservative issue like civil rights, it had its
10 problems in the Republican party.

11 Yet there can be no doubt during the last
12 decade these matters have been preempted. Water For Life
13 recognizes that

14 renewable resources such as wildlife, fish,
15 wetlands, wilderness, forest, range, air, water, and
16 soil are dynamic, resilient, and responding positively
17 to wise management.

18 We support site- and situation-specific
19 practices which unleash the influence free market and
20 protect or expand private property rights and reduce
21 the inefficient and counterproductive effects of
22 government regulation.

23 The Endangered Species Act has
24 historically had a devastating affect on agriculture
25 in Oregon. In 2001, under the guise of the ESA,

1 fish and wildlife and marine fishery issued a
2 scientific opinion claiming that if farmers got
3 irrigation water it would be at the peril of suckers
4 in nearby lakes.

5 A federal judge then ordered irrigation
6 water turned off. In ESA reports that followed the
7 panel of scientists said they found no evidence of
8 the lower water levels in the lake would have hurt
9 the suckers. The fish and wildlife action caused
10 the Klamath Basin 2,000 jobs and \$134 million.

11 Water For Life is requesting that the
12 Department of the Interior develop a cover plan that
13 allows for the coexistence of endangered species and
14 agricultural development.

15 Plans need to have achievable, ecological
16 goals that simultaneously maintain economic
17 stability, recovery plans and mitigation
18 possibilities for private landowners allowing for
19 a range of participation that creates partnerships
20 with stakeholders and regulatory agencies.

21 There's a need to remove bureaucratic
22 barriers to voluntary participation in conservation
23 programs and to recognize that every effort made by
24 private landowners.

25 It is critical that only peer-reviewed

1 science and not political science be part
2 of the plans. The time is now to streamline
3 regulations to ease downlisting from endangered to
4 threatened or removal of species from a threatened
5 listing.

6 The act must create specific criteria for
7 change in status. For example, the gray wolf
8 population in the west has increased significantly,
9 although not significantly in Oregon. Criteria
10 should allow for the removal of the gray wolf from
11 the list based on the overall population in the
12 region.

13 Water For Life believes that a sensible
14 and equitable ESA program is essential. We need
15 fair effective policies to address this complex
16 issue. Thank you.

17 MR. CASE: Thank you. 53? 54?

18 MS. MORRISON: Welcome to Oregon and
19 thank you for being here. My name is Ann Morrison,
20 I'm county commissioner in Lane County, Oregon, and
21 I'm also legislative coordinator for Federated Women
22 in Timber.

23 My purpose in speaking today is to
24 endorse and encourage the administration to initiate
25 and complete adjustments to the regulatory structure

1 of the ESA and the NEPA post haste.

2 Another month, a year, or a term of
3 Congress is not going to significantly change the
4 data or the science. It improves the policy choices
5 we confront today. My sense of urgency is derived
6 from direct and frequent encounters with the
7 economic, social, and human cost of status quo.

8 The diversification of job-created
9 commerce that has blessed many of the cities of the
10 west coast has failed to pay a visit to our rural
11 timber communities. The citizens and families of
12 those communities have waited long enough for ESA
13 and NEPA to produce and balance outcomes.

14 My science is based primarily on
15 observation. Observing the economic decline and
16 slow erosion of family vitality outside of the I-5
17 corridor. The timber communities in my county
18 suffer from higher unemployment rates than most
19 parts of the country.

20 Income does not keep pace with the cost
21 of living. The cycle of poverty produces patterns
22 of substance abuse, domestic violence, and child
23 abuse. Not a pretty picture and not one that is
24 getting better.

25 And yet the science of NEPA and ESA has

1 failed to incorporate those outcomes and
2 observations into its analysis and policy --
3 proposals for policy.

4 Either the scientists involved are lying
5 to the human displacement or the policymakers
6 involved are insensitive. Certainly the results are
7 not policy making at its best.

8 Finally, my conviction is derived from
9 principle. The principle that nothing of value is
10 free of cost. But in the case of NEPA and ESA the
11 value flows primarily to political interests while
12 the costs flow directly and almost exclusively to
13 local families, communities, and governments.

14 Those local interests have paid the costs
15 in spades over the last 15 to 20 years, while the
16 activists and advocates that have a
17 marvelous time debating the definitions of old
18 growth, accumulative affects, data quality, and
19 Cooperative Conservation in front of the news media
20 and the various panels and hearings on Capitol Hill.

21 I suggest the side show needs to end.
22 The real work needs to begin, balancing the
23 tangible, visible, and direct interests of our
24 people with that of the worthy but nebulous
25 environmental interests. Thank you very much for

1 being here.

2 MR. CASE: Thank you. 55?

3 SPEAKER: Hello. I'm
4 eastern forest organizer for the CR. Thanks for
5 being here. Guess what I'm hearing is from a
6 society in denial. There's been a lot of kind of a
7 whole era of subjugation rather than sustainability
8 rather than cooperation.

9 And we have an Endangered Species Act and
10 numerous other laws that came out of the
11 consequences of that subrogation. We have many,
12 many species that are declining; lynx, wolverine,
13 Peregrine falcon, hundreds of
14 migratory birds, bull trout, salmon, steelhead.
15 There are so many.

16 Their voices need to be heard here. They
17 need to be heard by the society. Those populations
18 are still in decline. The Endangered Species Act
19 has been around for a while. Needs to be
20 strengthened, not weakened.

21 There needs to be more funding to start
22 looking at how we start recovering populations.
23 And, yes, we do need to work cooperatively. But it
24 has to start with the change of attitude by people
25 who still believe they can subjugate nature.

1 There's a lot that can be done. Over the
2 last couple decades have had the, call it pleasure,
3 the work that I do involves hiking. Thousands of
4 acres of really devastated lands from logging. My
5 home was burnt down by Boise Cascade logging
6 causing fire, forest fire, timber industry lands,
7 and Umatilla national forest lands.

8 I've seen over and over again a
9 repetition of how much we'll grab from nature. And
10 ignorance of what we're doing to the world around
11 us. Are we going to be like so many other once-forested
12 ecosystems?

13 There's so many across this world. We
14 need to start looking how do we strengthen the laws
15 we have. From that how do we start working
16 cooperatively together to work towards the same
17 goals.

18 In the '30s there was a civilian
19 conservation core program that put people to work.
20 We could do the same thing for the environment using
21 strengthened laws, removing roads except for access,
22 starting to repair the damage from logging, cattle.
23 There are numerous, thousands of clear cuts that
24 have not been regenerated, all of them in the
25 mountains region and the Cascades. Those need to be

1 regenerated.

2 There's a lot of work that could be done,
3 if people would begin to start looking how -- what
4 do we want to give to our children? What are we
5 going to give to the generations that come? Where
6 are the voices for the wildlife? Where is our
7 conscience?

8 So I don't want to hear any more about --
9 I'm one of the people who will litigate, but I will
10 be glad to work in cooperation when people want to
11 start honoring the land they're on and the
12 generations yet to come.

13 MR. CASE: Thank you. 56.

14 MR. JOHNSON: Actually, 54, but that's
15 okay. I'm Steve Johnson, J-O-H-N-S-O-N. I'm the
16 manager of Central Oregon Irrigation District, which
17 provides irrigation delivery to 44,000 acres in the
18 Central Oregon area.

19 Also a board member of the Deschutes
20 River Conservancy and the Upper Deschutes Watershed
21 Council, and of the National Resource Association.
22 Gentlemen, thank you for the opportunity.

23 I was a participant in the White House
24 conference on Cooperative Conservation in St. Louis
25 last year. And what became obvious to me were the

1 successful conservation efforts, even those
2 involving ESA issues, rotated fully from mobile
3 grass roots initiatives across multiinterest groups
4 with the respect of private property rights.

5 And the challenge its had to focus, I
6 believe, the federal effort to be more proactive
7 rather than reactive going forward. So I have a few
8 suggestions.

9 I suggest more appropriations across all
10 departments or agencies similar to the Department of
11 Interior's water 2025 program, which I urge
12 Congressman Walden, as I have in the past, to
13 support the authorization for that program again.

14 What's unique about that program, I
15 believe, is that it was purposefully structured to
16 be proactive and generated from the local
17 level of the fine terms of eligibility and to focus.
18 It was purposefully structured as a free market and
19 it was a competitive process where they competed on
20 a variety of factors.

21 This program generated a remarkable
22 coalition here locally. We turned the Deschutes
23 water lines and it involved all the Central Oregon
24 cities, irrigation districts, Deschutes River
25 Conservancy, and the confederated tribes of Warm

1 Springs. And helped us evaluate our water supply in
2 this area of the basin over the next 50 years and
3 help propose solutions, including a water
4 bank.

5 Adding to this model could be
6 perhaps already maybe addressed in the Cooperative
7 Conservation Enhancement Act or being done is to
8 establish specific programs for requiring
9 coordinated effort amongst agencies. Similar to the
10 reason legislation of levies in California are
11 providing expedited NEPA. Or existing program
12 called Bridging the Head Gates, which offers
13 cooperation of resources between RCS and
14 reclamation.

15 Building use private sector to satisfy
16 government conditions as long as interdepartmental
17 agencies standards and enhancing competitiveness by
18 awarding eligibility points towards partnering.

19 Thank you.

20 MR. CASE: Thank you. 57? 58? 59?

21 MR. SCHEURING: 58. Congressman Walden,
22 members of the panel, good morning. My name is
23 Chris Scheuring. That's spelled S-C-H-E-U-R-I-N-G.
24 I'm with California Farm Bureau Federation.

25 We appreciate the opportunity to be here

1 today. Two minutes, of course, is not a great deal
2 of time to talk about everything that we'd like to
3 talk about. But I'm going to submit written
4 comments. Over the next minute and 50 seconds here
5 I'll just hit my few main points, if I could.

6 The first is landowner and permitting
7 involvement in conservation decision-making. We
8 believe the landowners and permittees have to be
9 involved in the government's conservation decisions.

10 Private landowners have to be the key
11 players in development species recovery plan,
12 species recovery plans, as well as section 7
13 consultations that affect their lands.

14 As part of their routine operations
15 farmers and ranchers engage in many practices that
16 positively benefit species as acknowledged, for
17 example, by the recent adoption of 4D rules for the
18 California tiger salamander and the California
19 red-legged frog.

20 This underscores the fact that landowners
21 typically have management expertise that would
22 benefit the listed species. And this expertise
23 should certainly be shared and made available to
24 federal agencies by allowing the permittee to fully
25 participate in the section 7 process and in the

1 formulation of the recovery plans.

2 The second point I'd like to make is that
3 old chestnut, permitting has to be streamlined and
4 coordinated and has to allow for operation
5 flexibilities for normal agriculture activities that
6 are carried on by farmers and ranchers.

7 As it stands now, it's no stretch to say
8 there are a lot of landowners out there who avoid
9 engaging the government on conservation projects
10 they might otherwise undertake because multiple
11 layers of bureaucracy, time, and expense.

12 So to the maximum extent practical, we
13 suggest the actions of the federal wildlife agencies
14 have to be coordinated with sister federal agencies
15 that have the permitting authority as well as the
16 state governments.

17 Couple of suggestions. One, an increased
18 reliance on things like problematic permits,
19 standardized permits, model form agreements, and so
20 forth. An example would be the availability of a
21 code managed section 7 permit issued for
22 conservation activities that were consistent, for
23 example, with the NRCS, the FSA field manual on the
24 subject, or other conservation programs that are
25 administered by the federal government.

1 Second subpoint in that regard, there
2 have to be time lines. This is a perennial concern.
3 But our folks are definitely interested in
4 compressed time lines, review, and processing and
5 consultation. This is a matter of money, among
6 other things, to our folks.

7 Third subpoint is that the federal
8 government has to work with the states to improve
9 coordination when overlapping state permits that are
10 also required.

11 Section 6 of the ESA, which I haven't
12 seen used a whole lot or referred to a whole lot, is
13 entitled cooperation with states --

14 MR. CASE: Thank you.

15 MR. SCHEURING: Is that it? I'm out of
16 time. Well, thank you very much.

17 MR. CASE: 59.

18 MR. GRASTY: Good afternoon. Welcome to
19 Central Oregon. I'm Steve Grasty, G-R-A-S-T-Y. I'm
20 a Harney County judge from Burns. Harney County is
21 the largest county in Oregon, 10,000-plus square
22 miles, home to the Steens mountains,
23 and the Malheur wildlife refuge. 75 percent of our land
24 is managed by federal agencies, the Forest Service,
25 BLM, and refuge system.

1 But also as the private folks look at
2 this I know that many times we set an example of
3 Cooperative Conservation, cooperative management.
4 Not unique to Harney County, we've heard lots of it
5 already this morning.

6 I came up here with prepared remarks, but
7 as I listen today I think there's a common theme
8 here that I hope you're hearing, and I suspect that
9 others of these legislations that you go around.

10 It's good to see our government at work,
11 it's good to see us all here trying to make this
12 process work. But local communities keep saying
13 that they want to be there helping. And they've
14 said it over and over today.

15 You've heard weakening ESA, strengthen
16 the ESA, eliminate it, strengthen or weaken NEPA.
17 You've heard all these varieties of people saying
18 this is the way we want it or ought to be. But one
19 thing that I hope you heard over and over is the
20 local community saying, we want to participate in
21 this and we want to help. And if there's one
22 message I hope you walk away with it's that.

23 We need to allow flexibility to allow
24 local decision-making, we need programs that
25 recognize cultural issues and allow for the

1 continuation to go on. And you need to support
2 those local economies or else set policy to
3 eliminate them. I don't advocate for that but if
4 we're going to eliminate them by default we just as
5 well as set the policy anyway.

6 Government needs to build on what's
7 working. In our county there's hundreds of
8 thousands and perhaps millions of birds more on
9 private ground than the refuge system at certain
10 times of the year.

11 There are state agencies and federals
12 that like to cut back on the water that will
13 eliminate that, and there's nowhere else for them to
14 go.

15 I want to leave you with something that a
16 gentleman said to me at a meeting the other night
17 and may be most important to all here. He said,
18 "Remember, we're here from the community and we're
19 here to help you." Thank you.

20 MR. CASE: Thank you. 60? 61? 62? 63?
21 64? 63, okay.

22 MR. BURN: Thanks for the opportunity to
23 talk to you guys, and thanks for coming out here to
24 listen. I'm Dan Burn. We run cattle in the Klamath
25 Basin on public and private lands.

1 And today I'm also speaking as a member
2 of the California Farm Bureau Federation Board of
3 Directors. We believe cooperation --
4 conservative -- relax some.

5 We support what you guys are trying to
6 get done here. And we think it's essential to the
7 success of the species, the environment, and the
8 family ranchers.

9 We understand firsthand that the ESA
10 needs to be updated, the consultation process needs
11 major reform for biologists, define habitat
12 needs for operators who can respond with proposed
13 techniques to provide for those needs.

14 Our experience has proven how wildlife
15 benefit from the Cooperative Conservation approach
16 where the rancher is a key player in species
17 protection.

18 Set the goal posts and give those who
19 have their livelihood at risk a chance to help build
20 a reasonable plan to reach the goal.

21 Only after understanding the import of
22 those who are going to materially participate in the
23 actual recovery effort should the terms and
24 conditions in the drafting statement be
25 issued.

1 Those terms need to allow for
2 flexibility of operations when monitoring in the
3 future and confirms habitat conditions are moving
4 towards the goal.

5 It will always be more cost-effective and
6 beneficial to the species and the environment to
7 address concerns with voluntary and community-based
8 programs.

9 Litigation addressing species and
10 environmental concerns is out of control. Right now
11 organizations have the ability to have the lawyers'
12 fees returned after suing the government agency.
13 That needs to be fixed.

14 The partners for wildlife program is
15 great, needs to be expanded. And safe harbor, no
16 surprises. Provisions need to be strengthened. We
17 want the red band trout out on private land; we
18 don't dare do it because they could become listed.
19 So we're going to -- you know, can't take that risk.
20 We need to be able to do those things.

21 I'm going to leave Acting Secretary
22 Thompson a copy of grazing changes seven years old
23 but highlights a lot of this stuff. If you'd be so
24 kind to get it to the Secretary. Thank you.

25 MR. CASE: Thank you. 64? 65?

1 MR. REANDEAU: My name is Larry Reandean,
2 R-E-A-N-D-E-A-U. I'm vice president of Local 1097
3 Steelworkers and western regional director of EEOC.

4 Since the early 1990s my region has
5 suffered the loss of thousands of jobs in the forest
6 products industry because of the listings of the
7 Spotted Owl and salmon.

8 Unfortunately, the recovery plan of the
9 Spotted Owl is not complete after 17 years, and we
10 are now protecting forests that no longer have
11 Spotted Owls in them. Partly due to the invasion of
12 the Bart Owl. Salmon is still declining.

13 We're losing more critical habitat and
14 valuable timber to wild fire and bug infestation
15 than we logged in the 1980s. The fact is the Forest
16 Service is spending a large portion of their budget
17 on litigation and paperwork.

18 Dealing with all the agencies and
19 complying with all the regulations is almost
20 impossible. For example, in 1993 to 1996 the Pulp
21 and Paper Worker Resource Council proposed a net
22 project that would move salmon around
23 the dams and help restore the salmon runs. It was
24 supported by the National Oregon Fisheries,
25 governors, and state fisheries, and other agencies.

1 We had to scrap the project because the Army Corps
2 of Engineers would not approve it.

3 We need your help. We would -- would you
4 please consider the job loss and communities when
5 you're making major decisions, and please simplify the
6 process and work through the state and federal
7 agencies. Thank you.

8 MR. CASE: Thank you. 66.

9 MR. CLINTON: My name is Jim Clinton.
10 That's spelled B-U-S-H. I'm a city councilor from
11 the city of Bend. And I want to bring up a couple
12 aspects of this -- everything we've been talking
13 about that maybe you haven't heard yet.

14 Bend has grown from a lumber town of
15 15,000, 30 years ago to a regional center of 75,000.
16 As we cope with the demands of rapid growth we look
17 to build an economy that is sustainable while
18 insuring our natural assets or preserves. Our
19 rivers, forests, mountains, and desert are the basis
20 of the unique appeal of this area.

21 With a college-based economy of this
22 century, regions, states, and the country itself will
23 prosper or decline depending on our ability to
24 provide a suitable environment for this highly
25 mobile, connected up, and global talent.

1 One key magnet is proximity to natural
2 areas for recreation and take a break. Being in a
3 place with a sense of place, a place that values the
4 natural environment while providing urban amenities,
5 the place that gets it.

6 We in Bend are working, for example, on a
7 project that we believe will bring 10,000 good jobs
8 to the city and to the region based on these very
9 ideas.

10 Players in this new economy are
11 interested in environmental protection,
12 sustainability, and efficient use of energy. They
13 are creating knowledge and organizing information.
14 They're not into bulk commodities or mass
15 consumption or sitting in a car on a stopped
16 freeway. Their companies are highly value-added and
17 innovative, and they locate where life offers the
18 environment they want.

19 So cities of Central Oregon are embedded
20 in Forest Service and BLM land, a huge benefit. For
21 many of us our core values derive from this land.
22 We want this land to be protected and available to
23 those who follow. We have no interest in diluted
24 protections for our natural assets, but we certainly
25 welcome cooperation.

1 We are anxious to work with federal
2 agencies to protect the value of what is here and to
3 restore what has been lost. We already have
4 effective partnerships in place such as the Oregon
5 Watershed Enhancement Board, Forest Legacy Program.

6 In Bend the city is supporting wilderness
7 designation for the nearby badlands. I chair a
8 committee looking at options to restore a park
9 in downtown Bend. And our city's watershed depends
10 on Forest Service land remaining pristine.

11 So thank you for visiting Central Oregon.
12 We have a tradition of cooperation and we're ready
13 to move forward. And as a scientist myself I really
14 like your emphasis on using the best science that we
15 can rely on for making decisions. We can easy fool
16 ourselves, but we can never fool nature. Thank you.

17 MR. CASE: Thank you. 67.

18 CONGRESSMAN WALDEN: I'm going to have to
19 excuse myself. I have a meeting that started about
20 27 minutes ago. And then I'm going with the Forest
21 Service on a tour of the Black Crater fire.

22 So I sure appreciate all the testimony
23 I've sat through now, I think number 60 -- now
24 serving number 67, I think. Thank you all for
25 participating. I want to thank our panelists, too,

1 for their work, not only here but across the
2 country. They're great people to work with on the
3 issues it faces.

4 And I think the strength we have out of a
5 session like this is listening to each other in a
6 civil way and learning from each other in a way that
7 can build cooperation and actually get things done
8 on the ground, streams, and forests. So thank you
9 all. And with that I have to excuse myself.

10 MR. CASE: Thank you, Congressman. 67.

11 MR. TAYLOR: Thank you. My name is
12 Bruce Taylor, T-A-Y-L-O-R. I'm the executive
13 director of the Oregon Habitat Joint Venture,
14 coalition of public agencies and private
15 organizations that have been practicing Cooperative
16 Conservation here in Oregon since 1991.

17 Our organization served the Oregon
18 Pacific Coast and intermountain areas
19 to the regional partnerships originally set up to
20 implement the North American water program and
21 since then expanded our focus to include habitats
22 for others, as well.

23 Our core group of partners over the years
24 has been more than 25 agencies and organizations,
25 including virtually all the state and federal

1 resource agencies in Oregon and a wide variety of
2 private organizations.

3 Through those core partners we've
4 extended the reach of the joint venture program
5 from partnerships with individual landowners,
6 tribes, local governments, watershed councils, and
7 soil and water conservation districts.

8 The results have been pretty impressive.
9 Joint venture partners have been protected and
10 serve well over 150,000 acres of wetlands and other
11 high priority habitats in Oregon.

12 Partnerships and cooperation and
13 collaboration, those are just ways we go about the
14 business of getting conservation.

15 I'd like to tell you a lot more about
16 that, but given the time constraints here I just
17 want to offer three brief observations based on my
18 15 years with the joint venture partnership about
19 the business of Cooperative Conservation.

20 The first has been the nature of
21 investment in this. This administration has made an
22 admirable commitment to funding Cooperative
23 Conservation programs that have had a truly major
24 impact on the ground in Oregon, including the North
25 American Wildlife Conservation Act, the Wetlands

1 Reserves Program, the landowners incentive program,
2 and others.

3 Unfortunately, budget caps have
4 forced Congress to make a choice between grant
5 programs for Cooperative Conservation and core
6 operations of federal and natural resource agencies.

7 As helpful as these grant programs are,
8 the work of the joint venture partners on the
9 ground overall and continue to compromise funding
10 for national wildlife refuge, federal land managers,
11 like the Forest Service, Bureau of Land Management
12 sustained commitment.

13 Cooperative Conservation we understand is
14 fundamentally about relationships that takes some
15 time. A year ago the sage grouse was up for
16 listing. There were all kinds of proposals for
17 initiatives for sage grouse. In 2006 you can't even
18 find the word "sage grouse" in the federal budget.

19 We do have coalitions together, partners
20 waiting in place, landowners waiting for projects.

21 Finally, I'd just mention coordination.
22 Everyone likes to think their dollars but
23 somebody's got to pay for the coordination to bring
24 partnerships together. Joint venture's been very
25 lucky in that respect, a lot of support in Congress

1 and President, but that's a really important
2 function.

3 MR. CASE: Thank you.

4 MR. TAYLOR: Appreciate your support.
5 Thank you.

6 MR. CASE: Thank you. 68.

7 MR. BREMS: My name is David Brehms,
8 from the National Parks Conservation Association. I wanted to
9 thank all the gentlemen for coming here today.

10 My first comment was for Secretary
11 Kempthorne, but I'll give it to you and Department
12 of Interior in general.

13 I would like to thank the Department of
14 Interior for its recent work on the national parks
15 services management policies. The
16 current draft provides details resource
17 protection and visitor access. We're very pleased
18 with the Secretary's decision on that policy.

19 Second, the NPCA hopes that an important
20 part of Cooperative Conservation will include proper
21 funding or full funding for the national parks
22 service in hopes that they -- Department of Interior
23 push more funding for the parks.

24 The full funding for the parks will not
25 only benefit the parks, obviously, such as Crater

1 Lake in Oregon, but it also benefits the
2 local communities which gain a lot of economic
3 benefits from having a park nearby.

4 The potential visitors feel they won't
5 receive quality experience because of the lack of
6 park staff and/or lack of resources protection.
7 This will hurt these communities by having less
8 visitors come to the park, and, therefore, they will
9 suffer economically. So full funding benefits a lot
10 of people, not just the park.

11 Finally, the NPCA, we want to encourage
12 and promote Cooperative Conservation. We feel it's
13 very important. But at the same time we also
14 believe the laws such as NEPA and ESA should not be
15 weakened as a result of trying to encourage
16 Cooperative Conservation.

17 Many visitors to the national parks visit
18 with the hope that they will be able to see some of
19 this wildlife that is protected and being restored
20 by the ESA, such as Peregrine falcons in the
21 Grand Canyon, the desert tortoise in
22 Southern California, and wolves and grizzly
23 bears in Yellowstone are some of the examples of
24 species that have been -- have had a benefit from
25 the Endangered Species Act.

1 So I just wanted to get those comments,
2 and I thank you for your time.

3 MR. CASE: Thank you. 69? 70.

4 MR. LILLEBO: I'm Tim Lillebo. I'm with
5 the Oregon Natural Resources Council. And my name
6 is spelled L-I-L-L-E-B-O. And I was going to say,
7 hello Greg Walden, hello Mark Rey, glad to see you
8 guys out here. But, you know, it's
9 like, I'm sorry, I'm a little disappointed the
10 listeners aren't here to listen. It's too bad,
11 really. But talk to the rest of you.

12 I think you should have a listening on
13 the coast for the fishermen that have just suffered
14 the greatest salmon and fishing closure that has
15 been done in the history of Oregon Coast. We should
16 try to get some more words from those folks.
17 They're the ones suffering right now.

18 This Cooperative Conservation sounds
19 great, but in reality we've got to have strong
20 conservation environmental laws, like the Endangered
21 Species Act. And those laws need to be
22 strengthened.

23 Because without those laws, in
24 combination with people getting together, we just
25 don't see the real conservation can be happening.

1 You need to have some standards, some guidelines to
2 go by. That's what environmental laws provide.

3 That's what they give the entire American
4 public, something to stand up to and look back to
5 and say, this is where we're going to keep our clean
6 water, this is how we're going to have a good
7 quality of life. So we need to have those laws, as
8 well.

9 We have -- been five years since the
10 Klamath Basin crisis came. And what we've
11 ended up with, whatever kinds of working out the
12 conservation groups and others and farmers, we've
13 had a disaster. We've had 60,000 dead fish, we've
14 had the biggest closures, fishermen out of work.
15 And I think we really need to structure differently.

16 We're one of the litigators down in
17 Klamath Basin. We had to sue to say, Wait a minute,
18 we need a long-term solution. So instead of
19 spending millions or hundreds of millions of dollars
20 bailing out farmers or bailing out salmon or bailing
21 out fishermen, why don't we just simply get
22 together, spend those funds in a real methodical
23 rational way to resolve the issues in the Klamath
24 Basin. Let's do some recovery, let's recover the
25 salmon, that sort of thing.

1 There has been some good conservation
2 cooperation. The Klamath dam looks like a real
3 good potential. And, Greg, if he was here, was
4 instrumental, conservation groups, tribes in getting
5 that dam out to help out those fish down in that
6 basin. The dam, also looks like it's going
7 to be coming out. So there's success.

8 We have a project here called the Glaze
9 Forest Black Butte project proposed by my group, the
10 Oregon Natural Resources Council, and the Warm
11 Springs Forest Products Industries, or the tribes.

12 And that project will do fitting, will do
13 some cutting of trees to be used for boards, and
14 also be using biomass products and do some burning.
15 And it's all thanks to natives.

16 So the Forest Service is not proposing
17 this, our conservation organization did and the
18 tribes did. We put it together, we raised \$80,000.
19 So we think it's a pretty good opportunity the city
20 of Sisters, all the communities are saying let's do
21 it. That's the kind --

22 MR. CASE: Thank you.

23 MR. LILLEBO: The main thing about it is
24 we're talking about protecting the large old growth
25 Ponderosa Pine, fire-resistant trees --

1 MR. CASE: Thank you.

2 MR. LILLEBO: Keeping those trees in
3 place, thinning out the smaller trees, helping out
4 long-term restoration for forestries.

5 So, anyway, leave that message that I
6 think that's the way you can get some things done.
7 Have the right parameters, protecting the old
8 growth, protecting fish, then we can do some
9 projects that help do the restoration. Thank you.

10 MR. CASE: Thank you. 71? 72? 73? 74?
11 75? 76? 77? 78? If anybody in the 70s or 80s,
12 not born in the '70s or '80s, but have a number? So 78, 79,
13 80, 81? 81.

14 MR. FOREMAN: Got it. Hello
15 distinguished panel. My name is Kyle Foreman, and I
16 want to say, to start out with, I am a fifth
17 generation Oregonian. My forefathers came out on
18 the Oregon Trail in 1855. And I have two small
19 boys. Of course, they're sixth generation
20 Oregonians. We live here in Central Oregon.

21 And I have an unexplainable connection to
22 Oregon and natural beauty, and I think it may stem
23 from the fact that my parents brought me out here
24 nearly 40 years ago in Central Oregon when I was six
25 weeks old on a sightseeing tour, and I've been

1 sightseeing and enjoying Oregon beauty since then.

2 But in my professional life I'm the south
3 central region manager of Oregon Water Resources
4 Department in Bend, Oregon. And I've worked for the
5 agency since 1990. And I was the water master for
6 the Deschutes Basin for nine years.

7 I am the only founding member left on the
8 board of directors for the Upper Deschutes Watershed
9 Council, and I'm on the board of directors for the
10 Deschutes River Conservancy. And I also serve as a
11 member on the Upper Klamath Basin Working Group.

12 And my input today will be from a
13 perspective of all these representative entities
14 that provide valuable restoration efforts in the
15 watersheds of the region in which I work.

16 I serve on these boards because I feel
17 that through implementation of Cooperative
18 Conservation plans for salmon and
19 watersheds, Oregon's a national leader and has
20 demonstrable results that prove that point.

21 In the 16 years that I've worked in the
22 region I've seen stream flows in certain regions of
23 streams go from zero flow to nearly 20 cubic feet
24 per second. Not only a remarkable increase but an
25 increase that allows nearly 40 percent of the lowest

1 monthly flow to be put in stream without the need
2 for heavy-handed government regulation.

3 This extraordinary restoration was
4 accomplished through cooperative agreements and
5 programs without regulation by the government.

6 Granted, our office, meaning the Water
7 Resources Department, through regulation protects
8 those stream flows, but it is not to the detriment
9 of an individual or an irrigation district.

10 Watershed Councils and other groups are
11 locally formed and managed and are composed of broad
12 cross-sections of community interests, such as
13 timber, agriculture, conservation groups, local,
14 state, federal agencies, tribal governments,
15 universities, and et cetera, just to name a few.
16 With this broad-based support the work that they do
17 has the support of a community.

18 The federal government can help in
19 several ways. One, provide steady long-term
20 involvement in investment which provides support for
21 sufficient staffing to provide critical technical
22 assistance and assist with permitting processes in a
23 timely manner.

24 And, two, provide steady sufficient
25 federal funding to map state and private investments

1 which through those investments Cooperative
2 Conservation and powers local communities, puts
3 projects on the ground more efficiently that then
4 results in long-term positive impacts to the
5 watershed.

6 An example of this type of funding is the
7 Pacific Coast Salmon Recovery Fund, which has helped
8 fund OWEB in times of state budget shortfalls, as
9 well as boost resources that an agency can provide
10 to local watershed councils and others.

11 In closing, I'd like to thank you for the
12 opportunity to speak today and to provide the
13 opportunity to hear all the great things that Oregon
14 is doing through the Cooperative Conservation
15 efforts, we all stand to enjoy a better future.

16 MR. CASE: Thank you. 82? 83? 84?

17 SPEAKER: Distinguished panel, thank
18 you for being here and staying until this hour to
19 listen to the Oregonians.

20 I am a fifth generation Oregonian, but
21 that's not really why I'm here today. I'm here
22 today in my role with the Northwest Pulp and Paper
23 Association to talk about the point source side of
24 issues on environmental issues and conservation, the
25 side that we haven't really heard a lot about today

1 because there aren't a lot of point source
2 dischargers in this area, they're more located on
3 the western side of the state.

4 And so what I'd like to tell you about
5 are some things that work very well with point
6 source discharges and some things that the Northwest
7 Pulp and Paper Association, which is a 50-year-old
8 trade association, has participated in that we think
9 work very well.

10 And one of those is providing funding to
11 provide science on the ground, and to work
12 cooperatively with the Environmental Protection
13 Agency in rule setting and in water quality
14 standard setting, and these types of venues in order
15 to bring the science to bear.

16 Because we -- when we're making pulp and
17 paper it's a complicated process, and when we can
18 bring the science to bear to help the regulatory
19 decision-makers we think that that's the best
20 possible outcome.

21 Second, part of what I do is that I sit
22 on the board of the Lower Columbia Estuary
23 Partnership. And as Mr. Lohn understands,
24 The Lower Columbia Estuary Partnership is a group under the
25 auspices of the EPA that is doing a lot of

1 conservation and habitat restoration work in the
2 lower basin. And that has stakeholders from a broad
3 range of groups. I want you to know that works very
4 well.

5 The pulp and paper industry has sat on
6 that group since it started in this state over a
7 decade ago. And we think that that type of a venue
8 to funnel federal dollars into working on habitat
9 restoration on the ground is an excellent way to
10 spend funds.

11 The last thing I'd like to talk about is
12 water quality standards and the development of water
13 quality standards. The Clean Water Act is an act
14 that's based on gradual improvement over time. The
15 typing of water quality standards to bring measured
16 improvement on the grounds in our waters, and if we
17 don't meet those standards they will go on an 03D
18 list and then not get developed.

19 But one thing we need to make sure of is
20 water quality standards are developed is that we
21 work cooperatively with all the partners and we
22 understand everybody's viewpoint.

23 Oregon has been riddled with issues of
24 water quality standards development. Each of these
25 three standards have a history all of their own; the

1 temperature standard, the toxic standards, and the
2 rapidity standards, and efforts to revise the
3 rapidity standard.

4 And one thing I'd like you guys to look
5 into is Oregon's history with these three standards.
6 Now, when we give the standards to the EPA to have
7 it approved, one thing that's important is the
8 federal family all work together in the consultation
9 process to bring that to fruition so we can put it
10 on the work back in Oregon.

11 And when we do have litigation we have to
12 vigorously defend your partners. And when we run
13 into problems in this whole environmental area we
14 ask one way you can work cooperatively with all of
15 us is to vigorously defend your partners on the
16 ground and your industrial partners in --

17 MR. CASE: Thank you.

18 SPEAKER: -- working to solve the
19 problems. Thank you.

20 MR. CASE: Thank you. 86? Anybody in
21 the 80s?

22 MR. CASE: 90s?

23 MR. MARLETT: I'm not quite the last or
24 best. But my name is Bill Marlett. Welcome to
25 Central Oregon, distinguished panel members. I

1 think it's great what you guys are doing. It's a
2 good opportunity to reach out and solicit comments
3 from the public.

4 I represent the Oregon Natural
5 Desert Association. We work on a number of ESA
6 issues in Oregon and across the west. I want to
7 talk about one specific problem, if you will, and
8 one possible solution that you might consider.

9 We've been actively involved in
10 litigation with the Mid-Columbia Steelhead on the
11 Mount Hood National Forest for the past five years.
12 It's been a long-term effort, one that we've not
13 really enjoyed, but I can tell you that the problem
14 that we are looking at and what we've observed over
15 these past five years is the fact that we got an
16 agency that is not well funded and not well prepared
17 to take on responsibilities the Congress gave
18 it.

19 A lot of people complain about the ESA
20 and the act not doing what it should be or not
21 delivering. And we have to remember that it's the
22 agencies on the ground that have to deliver the
23 final analysis. And Congress doesn't give them the
24 money and the resources to do their job correctly,
25 yes, they will end up in court.

1 So it's not a solution that we seek, but
2 we do feel the government accountability is vitally
3 important to the American public. And it's
4 something that I hope in this collective effort in
5 listening about these Cooperative Conservation that
6 you don't lose sight of the fact that there is a
7 core function the government has to perform, and
8 that the outreach to the public and the
9 encouragement of volunteer opportunities is great,
10 but you can't lose sight of that core function on
11 public lands.

12 One of the cooperative solutions that we
13 have been seeking for some time has been working BLM
14 in the Upper Deschutes here. They did allow for the
15 retirement or relinquishment, if you will, of public
16 lands grazing permits.

17 We feel that is something that
18 conservation groups and the ranching community can
19 work together on over time, something that we look
20 forward in the John Day Basin on the Mount Hood
21 National Forest as a possible solution. And it's a kind of
22 solution where I think that this particular quorum
23 might be able to encourage in a more structured
24 format on a westwide basis.

25 With that I'll conclude my comments.

1 Thank you very much.

2 MR. CASE: Thank you.

3 MS. GAINSFORTH: Thank you for remaining
4 with us and welcome to Central Oregon. And we
5 really appreciate your time. I think this is a very
6 important thing. And I also want to acknowledge the
7 signers and the reporter over there that's been
8 taking very careful notes so they'll get back to
9 Washington and be coherent.

10 My name's Patricia Gainsforth,
11 G-A-I-N-S-F-O-R-T-H. I'm an elected director of the
12 Deschutes Water Conservation District, president of
13 the Y East Resource Conservation Development
14 Council, which is the Deschutes Basin, essentially,
15 and Hood River County.

16 And I'm also on the board of the North
17 Tomalo Irrigation District, and do a number of state
18 and national conservation -- national resources
19 conservation service kind of things. I'm on the
20 RCD -- I have been on the RCD National Board and on
21 the National Association of Conservation District
22 Board.

23 And I bring that perspective because over
24 time, it has been about 20 years since I was
25 elected, there's been diminishing dollars flowing

1 into the natural resource agencies that I'm familiar
2 with. I work also on the RACK committee
3 distributing rural dollars to school -- or the
4 dollars to schools here in Oregon. And those
5 dollars are all gone away, also.

6 I've sat on the Governor's Watershed
7 Enhancement Board, which was a precursor to the OWEB
8 board. And it turns out to be a lot about dollars.
9 And you've heard those things expressed all the way
10 through the last couple of days.

11 Conservation districts have been doing
12 natural resource management for over 60 years, and
13 we're still here doing it, we're still elected
14 locally.

15 I'd turn my comments into your five
16 questions, but I'd like to talk about a couple of
17 things. The one being the diminishing resources.
18 We have to work together better to stretch those
19 dollars further. That the things we do need to
20 create a safe harbor and ways to keep people
21 focused on things that really work.

22 And all politics, all the economies, all
23 those things are local, and so we really need to be
24 included in the decisions that are made about local
25 issues, whether at a state or county level.

1 MR. CASE: Thank you. Anybody else in
2 the 90s? In the 100s? Okay. What's your number?

3 MR. PITT: 108.

4 MR. CASE: Okay. Go ahead.

5 MR. PITT: Thank you. Once again,
6 reduced to a number. I'm Louis Pitt, Junior,
7 P-I-T-T. Director of government affairs and
8 planning of the Confederated Tribes of Warm Springs.
9 4,000th generation.

10 Bureau of Indian Affairs under the
11 Interior, is a necessary evil for us in that we have a
12 loving relationship with the bureau, but they're
13 better than nothing with the United States of
14 America. And so we try to nurture our relationship
15 with those folks and funding of those folks to
16 Us on and off the reservations is very valuable
17 to us.

18 And one of the main things that any
19 partnership's understanding what one partner is, we
20 gave to the United States 10 million acres of which
21 land that you stand on now are lands that were given
22 to the federal government and then given to the
23 state and county. And so you can see why we have
24 such an attitude at times.

25 One of the things, too, is that we retain

1 those treaty rights, treaty rights to fish, hunt,
2 gather roots and berries, and graze our stocks on
3 unclaimed land is something that has to be
4 considered in all plans.

5 Fish is very much a part of our way of
6 life on all fronts. We will do what we have to do.
7 Off reservation treaty rights must be understood
8 with roots, berries, et cetera access.

9 One of the good things that we have is a great
10 partnership on the Columbia River where we
11 originally come from. Thousands of years there, and
12 working with state parks, Corps of Engineers,
13 American Affairs on access to the river. Wonderful
14 project working together. Access, number 1 issue on
15 the Columbia River, other than fish, of course, to
16 us.

17 Reclamation up river work with, I think
18 Columbia and John Day, it needs to learn how to work
19 with us.

20 BLM needs to seriously look at its more
21 respectful view of sacred human remains on their
22 properties, as we've had a situation with them where
23 they would not allow reburial of a human remain.

24 And, again, these are lands with some of
25 these people in -- we gave to the United States

1 before even the birth of the BLM. So somewhat set
2 aside by that. So thank you very much.

3 MR. CASE: Thank you. 100.

4 MR. KELLY: Good afternoon. Thanks for
5 coming. My name's Steve Kelly, K-E-L-L-Y. I'm an
6 attorney for the Confederate Tribes of Grand Ronde.
7 And there are number of programs that the tribes
8 engage in with the federal and state agencies that
9 probably we need to have a conversation about.

10 One in particular regarding the species
11 act, which we believe has been a success for the
12 tribe, and also for the species. Species I'm
13 speaking of is the Nelson's checker-mallow, which is a
14 plant that grows in the Willamette Valley and
15 happens to grow in the Grand Ronde area in Grand
16 Ronde, Oregon, which is on the western side of the
17 Willamette Valley. That's where the tribes' lands
18 are now, although they used to be much greater of course.

19 Anyway, the program that was put in place
20 under this agreement between the tribe and U.S. Fish
21 and Wildlife Service was, in essence, the tribe set
22 aside certain reserves on tribal land for
23 preservation of the plant. The plant is a
24 threatened species. And in return there was much
25 greater solidification of regulatory process.

1 And so, in essence, the tribe has
2 preserved or helped preserve the plant, has now
3 engaged in active management to preserve the plant
4 to the benefitted species. At the same time
5 streamlines the regulatory process for the tribe in
6 terms of use of own lands.

7 And so it's really a classic win/win
8 situation where it's good for everyone. And I would
9 certainly bring it back to your respective agencies
10 to look at this as a model, I'm sure there are many
11 others, to use as kind of an approach to find
12 solutions to other problems in the future. And we
13 certainly look forward to working with all of your
14 agencies in the future. Thank you.

15 MR. CASE: Thank you.

16 MR. SHIPLEY: I thought this was the
17 antique road show. So since I'm here I'll go ahead
18 and say something anyway.

19 My name is Jack Shipley, S-H-I-P-L-E-Y.
20 I'm a 38-year-old resident of Josephine County, and
21 I live 15 miles south of Grants Pass. I'm a
22 founding member of the Applegate Partnership and
23 current chair of the Applegate Partnership. We've
24 been actively involved in collaborative conservation
25 for the last 14 years in Southwest Oregon.

1 Our group has been both a poster child
2 for collaborative conservation, and the
3 Quincy Library Group that has -- that some special
4 interests have loved to hate.

5 The Applegate Valley was designated as
6 one of ten adaptive management areas that was
7 established in the Northwest. The Applegate Valley
8 is a 500,000 acre watershed that makes up part of
9 the Rogue River Basin, 70 percent of which is
10 managed by either the BLM or Forest Service.

11 We have an opportunity in front of us
12 right now that will promote collaborative
13 conservation into the future. BLM is currently
14 involved in a Western Oregon plan revision process,
15 and we need this group's help.

16 We have submitted a proposal to the BLM
17 that the Applegate watershed be formally designated
18 as an adaptive management area within the Western
19 Oregon plan revision process and be considered part
20 of the preferred alternative. Not to be included
21 within the no action alternative in the process.

22 Our proposal is compatible with the 1937
23 O and C Act. If this AMA designation is not
24 codified in the BLM planning process there's no
25 compelling reason for the agencies to continue to

1 engage with our community.

2 We plan to submit this same proposal to
3 the U.S. Forest Service when they begin their
4 ten-year planning process. We desire that public
5 forest land management be seamless across the
6 landscape. We want to see the
7 continuity of forest management over time that is
8 not affected by the vagaries of political change in
9 four or eight years.

10 Please encourage Elaine Rong, state
11 director of BLM, to codify our proposal of the
12 Western Oregon plan with due process. Her advocacy
13 will go a long way toward supporting collaborative
14 conservation in Southwest Oregon.

15 We believe that the economy and the
16 environment are not mutually exclusive. Help us to
17 continue to be a model for collaborative
18 conservation that's ecologically responsible,
19 economically viable, and socially acceptable.

20 I submitted two papers that address our
21 proposal and welcome any questions later on. Thank
22 you very much.

23 MR. CASE: Thank you. Anybody with a
24 number less than 110 that hasn't spoken? Less than
25 115? Less than 120? Is there anybody that would

1 like to speak that hasn't had a chance yet today?

2 Okay. So 121 -- 120, okay.

3 MS. GOOLD: I came here to speak, so I'm
4 going to speak. And thank you so much for coming
5 and listening to us today. My name is Karen Goold,
6 G-O-O-L-D. And I'm from Sprague River, Oregon. And
7 my husband and I are ranchers in that area, cattle
8 ranchers. And we're interested in protecting our
9 riparian area.

10 I'm the cochair of the Watershed Working
11 Group in Sprague River. And we've been learning
12 about the benefits of managed grazing. I understand
13 that the impacts of grazing are different in the
14 areas like ours. And if we manage grazing on the
15 area so that the cattle are out there only certain
16 times of the year the ground has been damaged. In
17 fact, the cows keep the weeds down and encourage new
18 growth of the native vegetation. Right now we're
19 doing this voluntarily.

20 We have looked into the CREP program
21 because I understood it was a good form of
22 Cooperative Conservation. But we found that the no
23 grazing language is so strict that it won't allow
24 for managed grazing like this, which is necessary.

25 We also learned that we can be severely

1 penalized if our neighbors' cattle trespass on our
2 riparian area. And, in fact, that happened to
3 another rancher in our area.

4 Since cows swim and you can't fence a
5 river we need time to contact the neighbor and get
6 the cattle off. So I want to see the language of
7 the CREP program changed in two ways which currently
8 does not allow for even one invasive cow.

9 In the CREP program area, your contract can be
10 voided, you can be fined, and you might even be
11 canceled permanently from the program.

12 So we would like to ask for the CREP to
13 allow for managed grazing so that the cattle are off
14 the riparian areas when they would damage them and
15 be allowed to graze there when it would be helpful
16 for the vegetation.

17 And, also, number 2, to allow reasonable
18 time for landowners to contact neighbors and remove
19 any trespassing cattle.

20 I understand the Farm Bill is coming up
21 for renewal this next year, and I hope you can make
22 some changes so that landowners can participate in
23 CREP and really improve their riparian areas without
24 fear of unreasonable penalties. Thank you.

25 MR. CASE: Thank you. 121.

1 MS. WATSON: Afternoon. Thank you for
2 sticking around and hearing us. I'm Danette Watson,
3 I'm the watershed council coordinator of the Upper
4 Klamath Basin. I work quite a bit with farmers and
5 ranchers out in the Sprague River Valley and also
6 the project area.

7 And I can tell you that what Karen just
8 said is absolutely true. People know how important
9 it is to restore their riparian areas and are
10 willing to protect them, but they're scared of the
11 CREP, Conservation Reserve Enhancement Program.

12 Two reasons, the first is the issue of
13 trespass cattle. It is the reality, especially in
14 the Sprague because it is open range, cattle are
15 allowed to roam free, it is historic open range, and
16 it's the responsibility of adjacent landowners to
17 keep other people's cattle out.

18 So people need time to get them out
19 without worrying that they will be -- that the contract will
20 be terminated and they'll have to pay back any money
21 they've already spent and penalties to boot.

22 Secondly, we've learned a lot since the
23 first no grazing philosophy came out. Managed
24 grazing is a good thing in desert areas like ours.
25 It keeps down basic weeds and encourages native

1 vegetation. But CREP forbids it.

2 I guess what I'm asking for is
3 flexibility. Flexibility in the way the law is
4 written, flexibility in the way it's enforced so
5 that the focus is on results and a healthy riparian
6 area. There are lots of people ready to do the
7 right thing if you'll just work with them. Thank
8 you.

9 MR. CASE: Thank you. 122.

10 MS. MORTON: Hi, I'm Karen Morton, I work
11 with the Upper Klamath Basin Working Group. There's
12 a lot of talk about the need for sound science, and
13 everybody agrees. The tricky thing, of course, is
14 determining whose science is sound. Of course, my
15 science is sound and your science is junk science.

16 And as strange as that seems, it's pretty
17 serious. It's the kind of thing that tears
18 communities like ours in Klamath Falls apart. And
19 the Upper Basin Working Group has been developing a
20 way to avoid the consequences of that. And that is
21 by having each of their -- each of the stakeholder
22 groups designate one scientist to sit on a team that
23 does the planning and the prioritization of actions
24 for restoration in the upper basin.

25 And most importantly, they agreed that up

1 front, they agreed that they would accept whatever
2 decisions that team could develop in advance of the
3 actions.

4 In a way it's like building in peer
5 review up front. It's helping us avoid the
6 polarizations that keeps us arguing in and out of
7 court, and it's allowed us to move forward together
8 doing restoration, measuring results, and adapting
9 what we do so what we do works.

10 I often think if we can do more of this,
11 get diverse scientists together up front to work
12 out the research questions, the recommended actions
13 that measure the success and contingency plans we
14 save ourselves a lot of time and money, we do better
15 restoration, we learn faster from our mistakes, and
16 we work together towards solutions in ways that
17 don't tear communities apart. Thanks.

18 MR. CASE: Thank you. 123.

19 MS. KILHAM: Yes, thank you so much for
20 sticking with us. I'm Alice Kilham, K-I-L-H-A-M,
21 chairman of the Klamath River Compact Commission. I
22 have spent the last ten years working towards
23 basinwide solutions to natural resource issues.

24 Over the years there have been numerous
25 and apparently uncoordinated attempts by various

1 arms of the federal government to address these
2 resource issues. And the time to focus our efforts
3 is long past due.

4 Internal and external studies of the
5 Klamath have offered different analyses of the
6 situation. But the thing that has been consistent
7 is the absolute necessity of involving stakeholders
8 if we are to create any long-term solutions.

9 Over the past two years we've held a
10 series of workshops up and down the Klamath Basin.
11 Stakeholders have come together to seek solutions
12 that will restore our environment and stabilize our
13 economies. We will next meet again November 7th to
14 9th at the Klamath Basin Watershed Conference, and
15 we would welcome your participation.

16 We receive Congressman Walden's call for
17 a summons on the Klamath with enthusiasm. We really
18 do need federal leadership shared by all your
19 departments and a decision-making process that must
20 ultimately be stakeholder based.

21 I would ask the Secretaries to call a
22 summons on the Klamath encouraging bipartisan and
23 bi-state participation. In the end if we are to
24 restore the Klamath Basin there will have to be
25 coordinated efforts supported by the Administration

1 and Congress.

2 I appreciate your coming and I appreciate
3 a listening session. But solutions really only come
4 when we have discussion and when we have give and
5 take, and then different interests are allowed to try
6 to find common ground and common solutions. Thank
7 you.

8 MR. CASE: Thank you. Anyone else in the
9 120s? 130s? Is there anyone else that has not had
10 a chance to speak today that would like to? With
11 that, then on behalf of the all the people -- oh,
12 I'm sorry, I'm sorry.

13 MR. ROLA: Should have waved a flag.
14 My name is Jeff Rola, I work for the
15 Deschutes Water Conservation, and welcome to
16 Deschutes County. And thank you for you patience
17 and perseverance in this listening session.

18 Rather than speak about Cooperative
19 Conservation I'll speak a little bit about the
20 fragmentation, and the fragmentation seen in
21 Deschutes County with large holdings of agricultural
22 lands cut up into smaller and smaller agricultural
23 lands that are more residential than primary
24 agriculture.

25 The fragmentation of the land has really

1 been mirrored by the fragmentation of
2 problematic-type applications for conservation to
3 put on the land that are based on participating
4 individual landowners.

5 Because the land has been fragmented and
6 become more of an urban landscape than a rural
7 landscape, in order to address natural resource
8 concerns it's really important that those fragmented
9 programs start to look cooperative in how they
10 develop the resource and how they can get the
11 resource back into shape in the reality that we face
12 with outrageously high land values and continuing
13 pressure to fragment the land into smaller and
14 smaller pieces.

15 The average size exclusive farm parcel in
16 Deschutes County is about six acres now. In this
17 kind of climate that's not really considered
18 production agriculture. And production agriculture
19 is the eligibility requirement for most incentives
20 for conservation. So we deal with that paradox
21 every day.

22 The way to surmount or the way to really
23 get connected with the resource concerns is to focus
24 more on CRMP and other types of cooperative measures
25 that involve numbers of stakeholders that get people

1 to agree in resource management issues on a
2 landscape basis.

3 And that kind of cooperative conservation
4 is really the key to addressing the concerns of the
5 resource in this landscape of change that we're
6 facing.

7 So I urge you to look at that as not just
8 initiatives for individuals but more a cooperative
9 venture that gives you the best return on your
10 investment. And thank you again for your patience.

11 MR. CASE: Thank you. Is there anyone
12 else who would like to speak? If not, then on
13 behalf of all the agencies represented up here I'd
14 sure like to thank you for your participation and
15 your patience. I don't know if there's anything to
16 add from any of the panelists before we leave.

17 MR. OTIS: As you can see from this
18 thing, I'm Rick Otis with the Environmental
19 Protection Agency. Most of what we talked about
20 today has to do with actions and programs that are
21 under my fellow agencies at the table here.

22 What I want to tell you and leave you one
23 thing is I've heard several times today this -- a
24 question over if we were to adopt or foster more
25 Cooperative Conservation projects or efforts or

1 solutions that they somehow or other would displace
2 the core program, the underlying statutory activity.

3 One of the things that we have found in
4 the pollution control world that my office and my
5 agency deal with is that we find that some of these
6 sorts of programs actually get us vastly better
7 results much faster than if we did the underlying
8 older regulation writing or some of the older
9 processes that we have had for 35 years.

10 And so what we're beginning to learn is
11 that it isn't really a matter of if you have extra
12 resources let's have this nice Cooperative
13 Conservation thing, but we still have to do the core
14 program. What we're beginning to learn is this
15 actually either augments or in some cases replaces
16 the core program and does a better job.

17 So what we're trying to aim at within my
18 department is a better understanding of when there
19 is a collaborative cooperative solution to a problem
20 that may get us there faster, better, cheaper than
21 another way, then we take that avenue versus the
22 other way.

23 And part of the challenge we face is
24 understanding when that's the right thing to do and
25 when it's a good thing to do.

1 I just finished two years' worth of tough
2 slugging negotiations to pull 75 tons of mercury
3 emissions out of our air. It wasn't easy. It took
4 us a while to figure out in the beginning if it went
5 down the path of the core program of writing
6 regulations we wouldn't get that 75 tons until ten
7 years from now. But what's happening with the
8 solution that we created under collaborative
9 negotiation we're going to have that start today.

10 And so for us it's not really this
11 trade-off one or the other, it's understanding when
12 is the right tool to use.

13 By the way, I want to thank everybody for
14 coming. This has been very interesting for me to
15 listen to.

16 MR. LIMBAUGH: Yeah, I too would like to
17 thank everybody for coming. And one of the things I
18 guess, this is the second session that I've attended
19 with the Secretary. And one of the things I have to
20 say is that with also my experience of working on
21 the ground and water issues in Idaho, the hardest
22 thing to do is to put down your swords and go into a
23 room and work things out.

24 And I think we also see that that's also
25 the best wins and the most sustainable actions that

1 we can do that can get people to work together and
2 form our own destinies rather than allowing a court
3 or lawyer telling us with a to do.

4 And I think that's very important and
5 that's really the underlying thesis behind
6 Cooperative Conservation, one that we will continue
7 to push.

8 And I appreciate everybody coming out on
9 your own time and being so passionate about these
10 important issues. It's really fantastic. Thank
11 you.

12 MR. LOHN: Since we're doing closing
13 comments here, first of all, thank you for your
14 hospitality, thank you for your stability. I'm glad we
15 were able to touch upon difficult topics
16 It was very useful, and for us informative. And thank you,
17 also, for your ideas.

18 You may wonder, are we just sort of
19 sitting up here moving a pencil and occasionally
20 looking at the audience. For me something like
21 this, I leave a changed person. You have reminded
22 me of some things, taught me some things, given me
23 some new ideas and some encouragement. I appreciate
24 it. It is -- it's a challenge to serve in resource
25 positions but it's a pleasure to serve good people.

1 Thank you for it.

2 MR. CASE: I would also like to thank
3 Colleen and our sign interpreters for their
4 assistance and diligence in this whole thing. And
5 my feet would also to thank all of you for finishing
6 up here. If there's no more comments from the
7 podium then, again, thanks for your participation
8 and we'll close the meeting.

9 (The proceedings concluded 1:14 p.m.)